

No. 16117

VOL. 3091

United States

See ALSO 309

Court of Appeals

for the Ninth Circuit

NATIONAL LABOR RELATIONS BOARD,
Petitioner,

vs.

SEBASTOPOL APPLE GROWERS UNION,
Respondent.

Transcript of Record

In Three Volumes

VOLUME III.

(Pages 877 to 1315, inclusive)

Petition For Enforcement of An Order of
The National Labor Relations Board

FILED

FEB 12 1959

PAUL P. O'BRIEN, CLERK



No. 16117

United States
Court of Appeals
for the Ninth Circuit

NATIONAL LABOR RELATIONS BOARD,
Petitioner,
vs.

SEBASTOPOL APPLE GROWERS UNION,
Respondent.

Transcript of Record

In Three Volumes

VOLUME III.

(Pages 877 to 1315, inclusive)

Petition For Enforcement of An Order of
The National Labor Relations Board



JOHN C. AGUIRE

a witness called by and on behalf of the Respondent, being first duly sworn, was examined and testified as follows:

Trial Examiner: What is your full name?

The Witness: John Clifford Aguire.

Trial Examiner: And your home address?

The Witness: P. O. Box — wait a minute, I changed it now. We had a change in address. It is Eddy Lane, but I forgot— [2105] 411, I believe, Eddy Lane.

Trial Examiner: Sebastopol?

The Witness: Yes, Sebastopol.

Trial Examiner: California.

Direct Examination

Q. (By Mr. Berke): Mr. Aguire, by whom are you employed?

A. By Sebastopol Apple Growers Union. [2106]

* * * * *

Q. Now, when did you become warehouse foreman?

A. That was either in the last part of 1953 or the first part of '54.

Q. Now, do you work on a year round basis or do you work only during the season?

A. Year round basis. [2107]

* * * * *

Q. Did this change over from two shifts to one shift occur before or after the election?

A. It was before election.

Q. Were you notified that there was going to be

(Testimony of John C. Aguire.)

this reduction or change from two shifts to one shift? [2108] A. Yes.

Q. Who notified you? A. Mr. Martini.

Q. And do you know when he notified you with relation to the time when the change-over took place?

A. The day before the layoff took place.

Q. And where were you at the time when you were notified, if you recall?

A. I don't recall. I was probably in the warehouse, though.

Q. Was there anyone else present beside you and Mr. Martini on that occasion?

A. No. I don't believe there was.

Q. Now, what, as near as you recall, did Mr. Martini say to you about that?

A. Well, as I recall he said: "We are going to have to cut down to one shift. The space, we have no space left to put our sauce and we are going to have to cut down to one shift due to that."

Q. Were you, is that all the conversation that you recall?

A. Yes, that is all I recall on that.

Q. Can you keep your voice up so the reporter can get it?

Now, did you participate in a meeting at which the people were selected that were going to be retained? A. Yes.

Q. Where was this meeting held? [2109]

A. It was held upstairs in the cannery.

Q. In whose office was that?

(Testimony of John C. Aguire.)

A. Well, it really wasn't an office. I mean it is in a back room there, back of the lab.

Q. Is this up in the area that is known as the balcony or were there rooms off the balcony in the cannery?

A. Yes.

Q. Who was present at the meeting, as you recall?

A. Well, when I walked in, I believe Leonard Duckworth and Charlie Williams, Ella Herrerias, and I am not sure on anybody else there now myself.

Q. Those are all that you recollect?

A. Yes.

Q. With relation to the layoff, when was this meeting held?

A. I really don't know but I figure around, if I remember right, it must have been a day or two before the, or a day before the layoff, something like that.

Q. Did you stay throughout that meeting?

A. No.

Q. How long were you in that meeting?

A. Around five minutes.

Q. Will you tell us what you did or what you said at that meeting?

A. Well, at the meeting I had my men picked out on a piece of paper and I put it up there on the table and I don't believe [2110] I talked anything up there but I might have said some word casually to somebody just like you greet somebody on the street or some place else.

(Testimony of John C. Aguire.)

Q. Now, this list that you laid on the table, the people that you had picked out, did you pick them out in that meeting or did you pick them out some other place?

A. No. I picked them out in the warehouse.

Q. Before you went up to this meeting?

A. Yes.

Q. And on what basis were those people selected?

A. Well, I picked my men according to merit.

Q. Now, during the period of time that you were present upstairs in the cannery at this meeting, did you hear any discussion about selecting people on the basis of whether they were for or against the union?

A. No.

Q. Did you hear any discussion about selecting people on the basis of whether they were strong for the union or against the union?

A. No, I never.

Q. In selecting the crew that you did for retention on the single shift, did you take into consideration as to whether or not they were members of a union?

A. No.

Q. Now, you testified that Mr. Martini told you that they were [2111] going to go to a single shift because of the space, what was it again, would you mind repeating it, I don't want to repeat for fear I might misstate it.

A. What was that about?

Q. What Mr. Martini told you as to why they were going to the single shift.

(Testimony of John C. Aguire.)

Mr. Karasick: Object. That has been asked and answered.

Mr. Berke: Well, this is preliminary because I want to get into something after that.

Trial Examiner: All right, go ahead.

A. It was due to the warehouse space.

Q. (By Mr. Berke): As the warehouse foreman, were you familiar with the space situation in the warehouse? A. Yes.

Q. At that time in October, 1954, when Mr. Martini talked with you, what was the warehouse situation at SAGU? [2112]

* * * * *

(Question read.)

A. Well, the situation, it was full and we were just, the space we had was what we were shipping out to fill in.

Q. (By Mr. Berke): Did SAGU, in 1954, have an insulated warehouse? A. In '54?

Q. Last year, yes. A. Yes, it did.

Q. How many such insulated warehouses did SAGU have last year?

A. Well, we just have the, the one that is really insulated, and the other one in that building which is dry enough.

Q. Now, when you referred to the other one which is the cement building, which one is that?

A. That is the cannery.

Q. You mean the warehouse section of the cannery? A. Yes, that is right.

(Testimony of John C. Aguire.)

Q. And where is the insulated warehouse located?

A. Insulated warehouse is located where the old, used to be the old packing shed, they made it into a warehouse. It is right next to the cannery.

Q. Out there at Molino Corners?

A. Out at Molino.

Q. Now, was the insulated warehouse full at the time that Mr. Martini talked to you? [2113]

Mr. Karasick: Object to the form of the question. Let the witness testify as to the condition, if any.

Trial Examiner: Put it in the alternative, if you will.

Q. (By Mr. Berke): All right. Was it full or empty? A. It was full.

Q. What was the situation with respect to the warehouse section in the cannery, the cement building that you were talking about at that time?

A. The cannery warehouse was full also.

Mr. Berke: You may cross examine.

Cross Examination [2114]

* * * * *

Q. (By Mr. Karasick): If I understand you correctly then, Mr. Aguire, both No. 1 and No. 2 plants of SAGU were leased last year to Analy?

A. Yes. That is right.

Q. And were used by Analy for the storage of fruit; is that right? A. That is right.

Q. Was it dried fruit in both cases or was some of it canned fruit? A. No, all dried fruit.

(Testimony of John C. Aguire.)

Q. All dried fruit. Those warehouses weren't insulated, were [2117] they?

A. No, they aren't.

Q. And they had been used in years before 1954 by SAGU, one or more of them, for storing canned goods, had they not? A. Yes.

Q. Did they use any of them in 1954 for that purpose? A. No. [2118]

* * * * *

CHARLES ROBERT WILLIAMS

a witness called by on behalf of the Respondents, being first duly sworn, was examined and testified as follows:

* * * * *

Direct Examination

Q. (By Mr. Berke): What is your occupation, Mr. Williams? A. Cannery foreman.

Q. For what company?

A. Sebastopol Apple Growers Union.

Q. Is the Sebastopol Apple Growers Union also known as Sagu or Molino? [2162] A. Yes.

Q. When did you first go to work for that company? A. July 23, 1953.

Q. And what job did you have?

A. Foreman.

Q. Were you foreman of the cannery?

A. Yes.

Q. Were you foreman of the cannery in 1954?

A. Yes.

Q. Were you foreman of the cannery on the day shift or night shift? A. Night shift.

(Testimony of John C. Aguire.)

Q. And where is the insulated warehouse located?

A. Insulated warehouse is located where the old, used to be the old packing shed, they made it into a warehouse. It is right next to the cannery.

Q. Out there at Molino Corners?

A. Out at Molino.

Q. Now, was the insulated warehouse full at the time that Mr. Martini talked to you? [2113]

Mr. Karasick: Object to the form of the question. Let the witness testify as to the condition, if any.

Trial Examiner: Put it in the alternative, if you will.

Q. (By Mr. Berke): All right. Was it full or empty? A. It was full.

Q. What was the situation with respect to the warehouse section in the cannery, the cement building that you were talking about at that time?

A. The cannery warehouse was full also.

Mr. Berke: You may cross examine.

Cross Examination [2114]

* * * * *

Q. (By Mr. Karasick): If I understand you correctly then, Mr. Aguire, both No. 1 and No. 2 plants of SAGU were leased last year to Analy?

A. Yes. That is right.

Q. And were used by Analy for the storage of fruit; is that right? A. That is right.

Q. Was it dried fruit in both cases or was some of it canned fruit? A. No, all dried fruit.

(Testimony of John C. Aguire.)

Q. All dried fruit. Those warehouses weren't insulated, were [2117] they?

A. No, they aren't.

Q. And they had been used in years before 1954 by SAGU, one or more of them, for storing canned goods, had they not? A. Yes.

Q. Did they use any of them in 1954 for that purpose? A. No. [2118]

* * * * *

CHARLES ROBERT WILLIAMS

a witness called by on behalf of the Respondents, being first duly sworn, was examined and testified as follows:

* * * * *

Direct Examination

Q. (By Mr. Berke): What is your occupation, Mr. Williams? A. Cannery foreman.

Q. For what company?

A. Sebastopol Apple Growers Union.

Q. Is the Sebastopol Apple Growers Union also known as Sagu or Molino? [2162] A. Yes.

Q. When did you first go to work for that company? A. July 23, 1953.

Q. And what job did you have?

A. Foreman.

Q. Were you foreman of the cannery?

A. Yes.

Q. Were you foreman of the cannery in 1954?

A. Yes.

Q. Were you foreman of the cannery on the day shift or night shift? A. Night shift.

(Testimony of Charles Robert Williams.)

Q. Did you remain foreman of the night shift in 1954 throughout the season?

A. As long as the night shift ran, yes.

Q. Then what happened after the night shift?

A. I was put on as day foreman. [2163]

* * * * *

Q. Do you recall the change-over from the two shifts to one shift in October of last year?

A. Yes, I do.

Q. Do you recall a meeting of employees held on October 15 in the warehouse of Sagu? A. Yes.

Q. As foreman of the cannery, did you participate in the selection of the employees who were to be retained for that single shift? A. Yes, I did.

Q. And who participated with you, if anyone, in the selection of such employees?

A. Leonard Duckworth and Ella Herrerias.

Q. And was there a meeting between the three of you or were there others present?

A. There were others present.

Q. Do you recall who?

A. Well, we were the main three that were there all the time. There was young Danny, John Aguire and Danny Shuster; and Bill brought up the list.

Q. Bill who?

A. Bill McGuire, of the day shift and the night shift people that were working there. Esther Doty and Mary McGuire were in and out a time or two.

Q. Did Mr. Aguire participate throughout the meeting with you? A. No, he didn't.

Q. About how long was he there, do you recall?

(Testimony of Charles Robert Williams.)

A. Possibly five minutes.

Q. And did Mr. McGuire participate in the meeting?

A. No; he came up with the men he was going to keep for the warehouse, and that was all.

* * * * *

Q. Where did this meeting take place? [2165]

A. A little room back of the lab. We used it last year as a dining room and also a little storage in there.

* * * * *

Q. With relation to the meeting in the warehouse on October 15, when did this meeting between people you mentioned and yourself take place?

A. Oh, I don't know; about a day or two before the layoff. [2166]

* * * * *

Q. Will you tell us what was said and what was done in that particular meeting, Mr. Williams, as near as you can recollect. if you are going to quote somebody, will you please identify the person that is speaking?

A. You mean what happened when we selected the people?

Q. Yes.

A. Well, Bill McGuire brought up the list of employees the day and the night shift, and we went over the names and we picked——

Q. Who is "we"?

A. Leonard Duckworth, myself and Ella.

(Testimony of Charles Robert Williams.)

Q. Herrerias?

A. Yes; and we discussed each one as to how good workers they were, and picked out the crew that we wanted to keep.

Q. Is there anything more that was said at that meeting, or anything more that was done?

A. No.

Q. Was there anything said at that meeting by anyone in [2167] discussing individuals as to whether that particular individual was for or against the Teamsters union?

A. No, there wasn't.

Q. Was there anything said in that meeting about whether any particular individual was strong for or against the union? A. No, sir.

Q. Was there anything said in that meeting about whether this person was an agitator or trouble maker? A. No. [2168]

* * * * *

Q. You say you recall the meeting of October 15 of the employees that was held in the warehouse; is that correct?

A. Will you please ask that again?

(Question read.)

A. Yes.

Q. Did you attend that meeting?

A. I attended it but I wasn't inside. I was standing by the door. I didn't hear all that went on.

Q. You didn't what?

A. Hear everything that was said.

Q. Following that meeting, did all of the em-

(Testimony of Charles Robert Williams.)

ployees working [2169] on the night shift go back to their jobs that evening or that afternoon?

Mr. Karasick: I object, unless the proper foundation for the basis of this witness' knowledge is first established.

Trial Examiner: I will permit him to answer, if he knows.

The Witness: No, they didn't.

Q. (By Mr. Berke): Do you know approximately how many did not return to their jobs that afternoon?

Mr. Karasick: Object on the same basis.

Trial Examiner: Overruled.

The Witness: I would say 15 or 20. [2170]

* * * * *

Q. (By Mr. Berke): My question was, was production increased or decreased as a result of the absence of these employees.

A. It was decreased.

Q. Do you remember an employee by the name of Gloria Pate? A. Yes, I do.

Q. Do you recall an incident involving Gloria Pate on the first day of the single shift?

A. Yes, I do.

Q. About what time of the day was it this occurred, as near as you can recall? [2171]

A. Shortly after 8:00 o'clock.

Q. 8:00 o'clock in the morning or evening?

A. In the morning.

* * * * *

Q. (By Mr. Berke): Where did the incident

(Testimony of Charles Robert Williams.)

take place? A. It took place in the cannery.

Q. And how did it come to your attention?

A. Well, Ella Herrerias brought it to my attention, the floor lady.

Q. At the time she brought it to your attention, who was present besides you and Ella Herrerias, in the immediate presence of the two of you?

A. There wasn't anyone.

Q. Will you tell us what was said and please identify who is speaking?

Mr. Magor: Is this a conversation between Ella and this gentleman?

Mr. Berke: That is right.

Mr. Magor: I object to it on the ground it is self-serving, [2172] outside the presence of Miss Pate.

Trial Examiner: Overruled.

The Witness: Well, she told me that Gloria Pate was working and she wasn't on the list to be working, so I went over and told her she wasn't—

Q. (By Mr. Berke): Wait a minute. Is this all the conversation between you and Ella?

A. Yes.

Q. Then what did you do following that?

A. I went to Gloria Pate and told her she wasn't to be working.

Q. Where was Gloria Pate at the time you went to her? A. On the inspection belt.

Q. And who was present besides you and Gloria Pate in the immediate conversation?

(Testimony of Charles Robert Williams.)

A. Nobody was present in the immediate conversation.

Q. Will you tell us what was said and who said it?

A. I told her that she wasn't to be working. She said that she had a time card that she punched in. I looked for a time card and couldn't find any.

Q. Is this all the conversation there was?

A. That is all at the time, yes.

Q. What did you do? You started to say something and I interrupted you.

A. After I looked for a time card and couldn't find it, I went up to the office to see if her name was on the list to be [2173] retained and I couldn't find it there either.

Q. Find the list? A. Yes.

Q. Did you look at it? A. Yes.

Q. Was her name on it? A. No.

Q. What did you do after you searched for the card and looked at the list?

A. Went back to Gloria Pate.

Q. Where was she at that time?

A. Same position.

Q. Who was present on that occasion besides you and Gloria Pate, if anyone else?

A. There were a couple other women on the line there but I don't recall their names.

Q. Did they hear the conversation? A. Yes.

Mr. Magor: Object to it on the ground it asks for the opinion and conclusion of the witness.

Q. (By Mr. Berke): To your knowledge.

(Testimony of Charles Robert Williams.)

take place? A. It took place in the cannery.

Q. And how did it come to your attention?

A. Well, Ella Herrerias brought it to my attention, the floor lady.

Q. At the time she brought it to your attention, who was present besides you and Ella Herrerias, in the immediate presence of the two of you?

A. There wasn't anyone.

Q. Will you tell us what was said and please identify who is speaking?

Mr. Magor: Is this a conversation between Ella and this gentleman?

Mr. Berke: That is right.

Mr. Magor: I object to it on the ground it is self-serving, [2172] outside the presence of Miss Pate.

Trial Examiner: Overruled.

The Witness: Well, she told me that Gloria Pate was working and she wasn't on the list to be working, so I went over and told her she wasn't——

Q. (By Mr. Berke): Wait a minute. Is this all the conversation between you and Ella?

A. Yes.

Q. Then what did you do following that?

A. I went to Gloria Pate and told her she wasn't to be working.

Q. Where was Gloria Pate at the time you went to her? A. On the inspection belt.

Q. And who was present besides you and Gloria Pate in the immediate conversation?

(Testimony of Charles Robert Williams.)

A. Nobody was present in the immediate conversation.

Q. Will you tell us what was said and who said it?

A. I told her that she wasn't to be working. She said that she had a time card that she punched in. I looked for a time card and couldn't find any.

Q. Is this all the conversation there was?

A. That is all at the time, yes.

Q. What did you do? You started to say something and I interrupted you.

A. After I looked for a time card and couldn't find it, I went up to the office to see if her name was on the list to be [2173] retained and I couldn't find it there either.

Q. Find the list? A. Yes.

Q. Did you look at it? A. Yes.

Q. Was her name on it? A. No.

Q. What did you do after you searched for the card and looked at the list?

A. Went back to Gloria Pate.

Q. Where was she at that time?

A. Same position.

Q. Who was present on that occasion besides you and Gloria Pate, if anyone else?

A. There were a couple other women on the line there but I don't recall their names.

Q. Did they hear the conversation? A. Yes.

Mr. Magor: Object to it on the ground it asks for the opinion and conclusion of the witness.

Q. (By Mr. Berke): To your knowledge.

(Testimony of Charles Robert Williams.)

Trial Examiner: Were they in hearing distance?

The Witness: Yes.

Q. (By Mr. Berke): Did they participate in the conversation? A. No. [2174]

Q. What was the conversation between you and Gloria Pate at that time?

A. I told her she wasn't supposed to be working, so she said she had a card and punched in. I said she would have to leave. She said something about, "You have to pay me for a couple of hours," and I told her she would have to take that up with the management.

Q. Was that all?

A. That is all the conversation I had with her.

Q. Did she continue working after that?

A. No, she didn't.

Q. Mr. Williams, Mrs. Orice Storey testified here that on August 4, that you and Leonard Duckworth approached the car which she was sitting in with her husband and Mr. Duckworth gave her two union authorization cards. On that occasion you said, "Do us a good turn and run over that man."

Did you say any such thing to either Mrs. or Mr. Storey? A. No, I did not.

Q. Did you say any such thing at any time?

A. No.

Q. Did you ever go over to Mr. and Mrs. Storey's car? A. No, I didn't.

Q. In the entire season of 1954? A. No, sir.

Q. Did you ever see Leonard Duckworth give Orice Storey a [2175] union authorization card?

(Testimony of Charles Robert Williams.)

A. No, I did not.

Q. Mr. Storey testified that on that same occasion you said, "Do your country a good deed and run over that guy," pointing to somebody who was walking out towards the highway.

Did you make any such statement?

A. No, I didn't.

Q. To Mr. Storey or anyone else at any time?

A. No, sir.

Mr. Berke: You may cross-examine.

Cross Examination * * * * *

Q. (By Mr. Karasick): I believe you said that shortly before the layoff on October 15, Duckworth had told you that they were going to have to knock off the night shift and to pick out one crew, is that right, have one crew work? A. Yes.

Q. Did he tell you the reason for that?

A. We talked about it a little, yes.

Q. What reason did he tell you they would have to do that?

A. Shortage of storage space is the main reason.

Q. Any other reasons that he gave you?

A. No.

Q. Any other reasons you ever heard?

A. No. [2198]

* * * * *

Q. You remember you were asked about the conversation between you and Orice Storey on August 4 of last year? Mr. Berke asked you about that?

A. Yes.

(Testimony of Charles Robert Williams.)

Q. I would like to know whether you deny that conversation took place, or you can't recall whether it took place? A. I deny it.

Q. You deny it? A. Yes, I do.

Q. Your testimony is that that conversation never occurred? A. That is right.

Q. I take it that if I asked you the same question with respect to the conversation or the statements between you and Clarence Storey on that day and at that time your answer would be the same? A. It would. [2207]

* * * * *

Redirect Examination

Q. (By Mr. Berke): Mr. Williams, with respect to the night shift employees on October 15, tell us whether or not those employees had been notified that they were to work the night shift. [2217]

A. Yes; they had been notified.

* * * * *

Q. (By Mr. Berke): When were they notified? Mr. Karasick: Object on the same ground.

Trial Examiner: You may have a continuing objection. Go ahead.

The Witness: They were notified before the meeting took place over in the warehouse.

Trial Examiner: Before?

The Witness: Yes.

Q. (By Mr. Berke): Was it the same day or the day before? A. Same day.

Q. How were they notified?

(Testimony of Charles Robert Williams.)

A. I told them, and also the floor lady.

Q. Where did you tell them?

A. In the cannery. [2218]

* * * * *

MAX HERRERIAS

a witness called by and on behalf of the Respondent,
and being first duly sworn, was examined and testified as follows: [2247]

* * * * *

Direct Examination * * * * *

Q. (By Mr. Berke): Is Ella P. Herrerias your wife?
A. Yes. [2248]

* * * * *

Q. Did you ever see this list that they discussed on that occasion?
A. Yes, sir.

Q. When did you see it? [2257]

A. A few minutes after this lady brought this list.

Q. Do you remember when it was she brought it?

A. It was either on a Saturday or a Sunday.

Q. Do you know about what date, or can you fix it?

A. No. The only thing I remember was that it was after the layoff because my wife had already gone into the day shift.

Q. Where did you see it?

A. When my wife handed it to me.

Q. Where did she hand it to you, where were you?
A. In the kitchen.

(Testimony of Max Herrerias.)

A. No, I don't recall it.

Q. Would it refresh your recollection if you were told the name? A. Yes.

Q. Is it Irma Bate? A. Correct.

Q. Did your wife discuss that list with you?

A. Yes.

Q. Did she discuss it with you?

A. Right away. [2260]

Q. Was anyone else present? A. No, sir.

Q. What did she say to you about it?

A. She said——

Mr. Karasick: Just a moment. I am sorry to interrupt, but I am going to object to this on the ground that it is self-serving and is outside the presence of the government in this case, or the Charging Party.

Trial Examiner: I don't believe that the rule of criminal law would apply here. I will allow the testimony.

The Witness: She said, "What do you think of this?" I said, "That list has been planted on you." That was my first words I said to her.

Mr. Karasick: May I have that?

(Answer read.)

The Witness: She said, "What do you mean by that?" I said, "Ella, that list, you have no use for that list. There is something wrong with this list. Why should they bring it to you?" I said, "Personally, I would take it to the officials of the plant or the company and tell them that this is what has been handed to you and what should you do."

(Testimony of Max Herrerias.)

Q. (By Mr. Berke): And what did Mrs. Herrerias say?

A. Mrs. Herrerias said, "I think I will." [2261]

* * * * *

ELMO MARTINI

a witness called by and on behalf of the Respondent, having previously been duly sworn, was examined and testified further as follows: [2308]

Direct Examination

* * * * *

Q. (By Mr. Berke): Let me ask you where your ranch is located.

A. My ranch is located approximately seven miles north of Sebastopol.

Q. Were you familiar with the apple crop condition as it relates to the apples that were delivered to SAGU in 1954? A. Yes.

* * * * *

Trial Examiner: I will direct the witness to testify only as to what he saw himself and I will permit the answer.

The Witness: During the 1954 season, there was a considerable amount, an excessive amount, I should say, of bitter pit on the trees, something that we usually don't have showing at that particular time of the season. However, the crop was harvested and we thought at that time maybe the bitter pit would disappear along with bitter pit we had another fungus [2312] disease that we call the "smut" that was very prevalent, and during the

(Testimony of Elmo Martini.)

harvest, the bitter pit showed up along with a few other blemishes on the apple that from our packing shed about 50 per cent of our apples became culls, which is a very excessive amount of culls to be gotten from a fresh fruit house.

* * * * *

Q. (By Mr. Berke): Mr. Martini, was there during the season of 1954 any spoilage in the apple crop that was delivered to SAGU?

A. Yes, sir, there was.

Q. In terms of tons, how many tons of the apples that were delivered to SAGU last season were spoiled? [2313]

* * * * *

The Witness: We estimate in our office that approximately 700 tons were disposed of as spoiled apples.

Q. (By Mr. Berke): When you say they were disposed of as spoiled apples, will you tell us what you mean by that? What was done with them?

A. They were taken off of the dump belts, put into boxes, dumped on a dump truck that we have there and then dumped either into public dumps or in certain instances we had dug a trench and dumped them into a trench and buried them.

Q. Were you, in your capacity as a member of the board of directors and as secretary, familiar with the amount of spoilage in the 1953 season?

Mr. Karasick: Object on the same basis.

Trial Examiner: Overruled.

Q. (By Mr. Berke): Just answer yes or no.

(Testimony of Elmo Martini.)

A. Yes.

Q. In terms of tons, how many tons of apples delivered to SAGU in the 1953 season spoiled?

A. We estimate that probably 25 to 50 tons.

Q. Mr. Martini, do you know how many tons of apples all told were delivered to SAGU during the 1954 season?

A. Yes.

Q. Will you please tell us? [2314]

* * * * *

A. In 1954 we received into SAGU somewhere around 16,500 tons.

Q. Of that tonnage, do you know how many tons were shipped as fresh apples?

A. I would say about 4,650 tons were shipped as fresh apples.

Q. Do you know what happened to the difference between that 16,500 and 4,600 tons that you referred to?

A. Yes.

Q. Will you please tell us?

A. Our own cannery used up about 8,700 tons of them. We processed for our own account approximately 14 to 15 hundred tons at another cannery. There were approximately 1,000 tons of them that went to other processors, such as, oh, let us say, S&W. [2317]

* * * * *

Q. (By Mr. Berke): Did you in 1954?

A. Yes, sir.

Q. When you say you took care of all fresh fruit sales in 1954, will you please explain what you mean by that?

(Testimony of Elmo Martini.)

A. Well, in my out of state shipments I turned that particular portion of the sale business over to a selling organization in the name of Heggblade and Margulis, which have their office in the Matson Building in San Francisco. They take care of all out of state shipments.

The state business, the California business, I take care of from my office through brokers and distributing houses that I deal directly with from my office at SAGU.

Q. Was that the situation in 1954?

A. Yes, sir.

Q. Tell us whether or not you kept in touch with the fresh apple market conditions during the 1954 season?

Mr. Karasick: Object to the characterization and conclusion, "kept in touch," and ask the witness be asked to testify what he did with respect to this matter.

Q. (By Mr. Berke): Yes or no? A. Yes.

Trial Examiner: I will permit it. I assume "by keeping in touch," you mean watching the figures.

Mr. Berke: I will go into that.

Q. (By Mr. Berke): What did you do in that respect, will you describe that? [2321]

A. I would talk daily, several times a day, for instance, to the Heggblade Company.

Q. How would you talk to them?

A. By telephone, and also by teletype. We would review the various markets over the United States to see what they were doing, what the particular

(Testimony of Elmo Martini.)

market was receiving from other shippers, then in the Los Angeles market, I would call a broker whom I had in my employ, a Mr. Bill Hooker, and clear with him once and twice and three times daily to see how that market was going, how many apples we had on the various floors of the street.

Q. What do you mean by "street"?

A. We refer to the markets in fresh fruit as the "street." In other words, Los Angeles has Seventh and Ninth Streets, that are produce markets. In San Diego I would clear with a broker whom I had there, a Mr. Williams, and I would talk to him once at least daily, and sometimes twice, depending upon the occasion. Then I had another market that is quite important to us in Sacramento. There it was handled for me by a Mr. Jack Downey, and I cleared with him on that particular condition on that market.

Q. You have used the term in referring to what you have done with these various people or organizations at different points as "clear with them." What do you mean by that? [2322]

A. What I mean, possibly I shouldn't have used the word "clear." I would discuss the market conditions with them and sometimes we would decide not to ship any apples into a market if the price was too low, or we would decide to ship twice as many as we would if the apples were available, and often we would maybe not ship as many out of state as we normally would due to the condition of a good market here in the State of California

(Testimony of Elmo Martini.)

or vice versa. Many things will happen in the market.

Q. Tell us whether or not price was discussed with these various representatives or organizations?

A. Mostly price.

Q. Going back to the question that I asked as to why all of the fruit, or the difference between the 4600 tons that was shipped fresh and the 16,000 tons received at SAGU in 1954 were not shipped fresh, will you please explain?

A. There were various reasons for them. Chiefly the main reason for not shipping was the price at the particular time that we had apples to ship. If the price in the markets was not good, you just don't ship apples. We had times there where no price would have moved apples, Mr. Berke. The markets did not want them. They had too many apples shipped in there and they wouldn't take any apples or they would take them on a consignment deal, and you were at the mercy of the four winds then to see whether or not you were going to get the packing cost back. [2323]

* * * * *

Q. You have testified that some of the apples were shipped to other processors. Were any shipped to the Sebastopol Co-op Cannery in 1954?

A. Yes.

Q. Do you know when you first shipped apples to them for processing? [2324]

* * * * *

The Witness: We shipped the Sebastopol Co-op

(Testimony of Elmo Martini.)

Cannery the first apples from SAGU on July 23, and shipped daily through July 29.

Q. (By Mr. Berke): What was the purpose in shipping those apples at that time to the Sebastopol Co-op Cannery?

Mr. Karasick: I object again unless the proper foundation is laid.

Trial Examiner: Overruled.

Mr. Karasick: We don't know this termination was made by this witness.

Mr. Berke: You can get it on cross.

Trial Examiner: Overruled.

The Witness: During that period we had entered a program of slicing Gravenstein apples. Therefore, our plant was equipped to slice only. During that time, along the 23rd or 22nd of July, I took an order from one of the major retailers, that included among it 15,000 cases of 8 ounce apple sauce.

Q. (By Mr. Berke): Who was the dealer?

A. That was Regent Canned Foods, a subsidiary or buying agent for Safeway Stores. Our plant was not equipped for the production of 8 ounces. Therefore, I went to Mr. Farmer and asked him if he wouldn't produce it for me and he said since I am not on producing for myself, we would be happy to produce the 8 ounces for us.

Q. Who is Mr. Farmer?

A. A former manager of the Sebastopol Co-op Cannery.

(Testimony of Elmo Martini.)

Q. And at that time did SAGU produce both slices and apple sauce? A. No, sir.

Q. And you say you were not equipped to produce 8 ounce apple sauce. What do you mean by that?

A. We didn't have filling equipment nor sealing equipment for filling 8 ounce. It takes a special equipped machine to go to that small size.

Q. And did the Sebastopol Co-op have such equipment at that time? A. Yes, sir.

Q. How many cases were filled for you or packed for you during that period in July that you have mentioned by the Sebastopol Co-op Cannery? A. Approximately 15,000 cases.

Q. After that did you ship any apples for processing to the Sebastopol Co-op Cannery? [2326]

A. Yes.

Q. And when did you next do that, Mr. Martini?

A. We next shipped them apples somewhere around the 13th or 14th of August.

Q. August, 1954? A. Yes.

Q. And for how long did you continue shipping them apples during that month?

A. I would say approximately one month.

Q. From when to when, as near as you can tell?

A. I may have my dates mixed up on that. I don't believe we shipped them any apples in August. I must reverse my statement there. I don't believe it was until September that we shipped them apples again.

Q. From September to when?

(Testimony of Elmo Martini.)

A. I believe we started on the 13th of September and ran through to about the 10th of October.

Q. And will you tell us the reason for sending apples during that period to the Sebastopol Co-op Cannery?

Mr. Karasick: Again the same objection, Mr. Examiner.

Trial Examiner: Overruled.

The Witness: The way the season worked out, looking back at it, I should have sent them sooner, but there were several reasons for that. One was that the Co-op Cannery could not handle them and at that time I thought I could handle the apples myself. [2327]

Q. (By Mr. Berke): When was this?

A. That was along the early part of September. Then in watching the apples, we found that the apples would not hold up. The entire apples would rot in the box, and every day our tonnage of spoils would mount up, and if we had waited any length of time on that, I doubt very much whether any apples could have been canned because I could not have got to the apples that were in question until possibly October 10th to 15th, somewhere along in there.

Q. Do you know how many tons of apples were sent over to Sebastopol Co-op during that period?

A. During the second period?

Q. Yes.

A. During the second period it is my recollection that about 1350 tons were sent over.

(Testimony of Elmo Martini.)

Q. And that tonnage was processed into what, Mr. Martini?

A. It was processed into 303 apple sauce.

Q. Were you familiar with the equipment that SAGU had in its cannery in 1953? A. Yes.

Q. Was that equipment the same or was it not the same in 1954?

A. It was the same in 1953 as it was in 1954.

Q. Do you know what tonnage of apples was received by SAGU during the 1953 season? [2328]

Mr. Karasick: Object for the same reason as previously stated.

Trial Examiner: Overruled.

The Witness: Yes.

Q. (By Mr. Berke): Will you state it, please?

A. 12,500 tons.

Q. And of that tonnage, what amount was shipped fresh? A. Approximately 4500 tons.

Q. I believe you testified as to the amount of spoilage that year, did you not? A. Yes.

Q. What was that amount?

A. 25 to 50 tons.

Q. Do you know what happened to the difference between the approximately 4500 tons that were shipped fresh on the 12,500 tons that you received that year?

A. I know that we processed at the cannery approximately 6500 tons, that we dried 900 tons. We shipped to other processors approximately 5 to 6 hundred tons, and probably shipped to Co-op Cannery 200 tons, or something like that. [2329]

* * * * *

(Testimony of Elmo Martini.)

Q. (By Mr. Berke): Mr. Martini, in 1954 did SAGU have any warehouses? A. Yes.

Q. How many warehouses did it have altogether?

A. We had four.

Q. Will you tell us where they are located and if they are listed by number in SAGU's operation, will you please identify them?

A. Well, we have No. 1, that is located on McKinley Street in the city of Sebastopol.

Q. Go ahead.

A. No. 2 is on High Street in the city of Sebastopol. We have the SAGU station plant at SAGU station about a mile north of the town of Grayton, and then we have the warehouse at Molino.

Q. What is that number?

A. That is No. 5, I believe.

Q. Does the SAGU station have a number?

A. 6. [2342]

Q. What sort of a warehouse was No. 1, the one on McKinley Street, last year?

A. What was it used for?

Q. Well, describe it first physically. What sort of a structure was it?

A. It is a wood frame building; the outside walls are lath and brick with a truck level floor and a composition roof.

Q. And what was No. 2 like?

A. No. 2 is exactly the same, the only difference being the roof, which is a galvanized roof.

Q. And No. 5 at Molino, what is that?

A. No. 5 at Molino was originally the same type

(Testimony of Elmo Martini.)

of structure that we have rebuilt, taking the truck back off of it and dropping the floor to floor level or to ground level, we will say. The walls, instead of lath and boards, we covered that over with aluminum and put a galvanized roof over the present roof and insulated the inside of it. That is, we put a ceiling and an inside wall on the inside of the building.

Q. Will you describe No. 6?

A. No. 6 is the same type of building as No. 1, just a galvanized roof and the floor is at truck level. There is no ceiling or inner wall to it at all. It is just a shed. We call them sheds.

Trial Examiner: What was that floor level?

The Witness: Truck level. The floor is at truck level.

Q. (By Mr. Berke): When you say the floor is at truck level, what do you mean by that?

A. When a truck backs up to the warehouse, the body of the truck and the level of the floor are the same height.

Q. You referred to No. 5 as having been insulated. Were the others insulated last year?

A. No, sir.

Q. What was No. 1 used for last year?

A. During the early part of the year—that is, from January until about the 15th of August, we used it as an empty box storage warehouse, empty field boxes.

Q. That is the one on McKinley Street?

A. Yes. We repaired boxes during the off-season,

(Testimony of Elmo Martini.)

and then stored them there for growers when it came time that they needed boxes for harvest.

Q. And was it used for that purpose all through 1954?

A. No. The plant was emptied about, I would say, along about the middle of August, emptied of all the empty boxes.

Q. And then what was it used for after that?

A. Then there were a few dried apples put in from the Anlay Marketing Group.

Q. What was No. 2 used for?

A. No. 2 is leased to the Anlay Marketing Co-op.

Q. And what was stored there? [2344]

A. Dried apples.

Q. Is that the one that was recently burned down?

A. No; that was No. 1.

Q. What was No. 5 used for last year?

A. No. 5 was an operating plant and it was used for the packing of apples.

Q. That is the one at Molino, the insulated warehouse?

A. No.

Q. Did I make a mistake? I thought you said No. 5 was the one——

A. I am not too sure about the numbers of those two plants. I am not sure which one we refer to as 6. We always refer to them usually as Molino and SAGU Station.

Q. So we are clear, I am talking about the one at Molino?

A. There at Molino we use it in the cannery warehouse.

(Testimony of Elmo Martini.)

Q. And when you said No. 5 was insulated, which one were you referring to?

A. The one at Molino.

Q. The one at SAGU Station, what was that used for last year?

A. We used that for packing apples. There is always an inventory of shook, which is knocked down boxes that will go through the machines to be made up as Northwest boxes. We store some cartons in there, but primarily it is used for a packing operation. [2345]

Q. Do you have any cold storage facilities — rather, did you have any cold storage facilities last year? A. Yes.

Q. Where were those located?

A. They were located at the Molino plant.

Q. And what are those called? Are those warehouses? A. Cold storage warehouses.

Q. How many of those did you have in Molino?

A. We refer to that as one, with two rooms. There are two rooms, each one 100x100.

Q. Are the two rooms under one roof?

A. Yes, sir.

Q. And what was stored in the cold storage warehouse last year?

A. For the major portion of the year, that is from July until the first of the year, I would say that they were fresh apples.

* * * * *

Q. (By Mr. Berke): Do you remember a Board of Directors meeting at SAGU that was held on

(Testimony of Elmo Martini.)

October 12 last year? A. Yes, sir.

Q. Were you present at that meeting?

A. Yes, I was.

Q. Will you tell us as near as you recall who else was [2346] present at that meeting?

A. Well, there was Bill McGuire and Mr. Bondi, Mr. Guerrazzi, Mr. Winkler, Mr. Cordoza, Mr. Roberts, Mr. Hankins and Mr. Miller.

Q. Those are all that you recall? A. Yes.

Q. Was there any discussion at that meeting about your warehouse situation?

A. Yes, there was.

Q. Will you please tell us what that discussion was and tell us what was said and who said it.

A. As General Manager, I told the Board that we had just about filled up all our available cannery storage at the Molino plant, and from a recent survey that we had taken, we had about harvested our entire crop from the grower level to the packing sheds. I told them that we couldn't operate at the volume that we were going, keeping up with the shipments, of course, and still have our canned goods put under roof, that is, in suitable warehouses.

Trial Examiner: Read that last part.

(Answer read.)

Q. (By Mr. Berke): Go ahead with the rest of the conversation.

A. Then there was a general discussion had, and the Board finally authorized me to—we talked about the possibility of running one shift to see whether

(Testimony of Elmo Martini.)

or not we could handle the [2347] production from one shift, and at that one I know I was quite sure that we could because our shipments at that time were just about equal to what a single shift would produce.

At that point the Board instructed me to cut to one shift as soon as possible.

Q. Is that all?

A. That is all that transpired, yes.

Q. You say that you mentioned something about keeping up with shipments and your available cannery space. What do you mean by that? Could you clarify that for us?

A. During the day, along that time of the year, our shipments could amount to up to 4,000 cases per day. Our production from one shift last year varied from anywhere from 1,700 cases per shift up to as high as, of course, 3,000 cases a shift, depending upon the fruit that was being handled.

So in view of the shipments that we were normally making, the production from one shift could replace the merchandise that was being shipped out.

Q. You have referred to a statement at the Board meeting about suitable storage for the cans. What do you mean by that?

A. Well, in storing cannery goods in cans, especially in the Bay area—and we consider ourselves the Bay area due to the fog and humid conditions that we have—cannery goods should not be stored in open sheds or warehouses that are not [2348] suitably insulated so that the moisture doesn't enter

(Testimony of Elmo Martini.)

them. Preferably they should be heated warehouses.

Q. Were any of your warehouses heated and insulated?

A. Yes. The warehouse to which we refer to there as the Molino warehouse, that is an insulated and a heated warehouse.

Q. Was it in 1954? A. Yes.

Q. Could you have used the cold storage facilities for storing the canned products? A. No.

Q. And why not?

A. Because there were still apples in them in both rooms, and before you can store canned foods in there, those rooms must be at least emptied, should be emptied, the refrigeration shut off and the room completely dried. You use several types of driers in there that will dry it out in about two weeks now.

Q. You say it will dry it out in about how long?

A. In about two weeks, ten days to two weeks.

Q. You say that at that time this Board meeting on October 12, you were authorized by the Board to reduce to one shift as soon as possible?

A. Yes, sir.

Q. Did you reduce to one shift after that?

A. Yes. [2349]

Q. When did you reach the decision to reduce to one shift?

A. Mr. McGuire and I spoke of it directly after the meeting, and we were pretty well set to close down. We knew that we were closing down the shift by the middle of the next day.

(Testimony of Elmo Martini.)

Q. You say Mr. McGuire; is that William H. McGuire? A. Yes.

Q. And you spoke about it; can you be more specific when you say you spoke about it?

A. We spoke about it immediately after the meeting. Immediately after the meeting we began to discuss that, and Bill McGuire handles all the incoming cans for me, the incoming cartons, sugar, and there is some problem of merchandise that is already in transit and the cut-off stuff that is scheduled to be shipped from the suppliers.

Q. How do you handle the supplies that are coming in from the suppliers if you are going to reduce your operations?

Mr. Karasick: May the question be limited?

Q. (By Mr. Berke): How did you do it last year? A. We cancelled them out.

Q. Did you discuss this matter of going to one shift with Mr. McGuire on just that occasion after the Board meeting, or were there other occasions?

A. We discussed it the next day also.

Q. When, the next day? [2350]

A. The next morning.

Q. And where did that discussion take place?

A. In the office.

Q. Whose office? A. My office.

Q. Was anyone else present besides you and Mr. McGuire? A. No, sir.

Q. Would you tell us what that discussion was and identify who was speaking?

(Testimony of Elmo Martini.)

A. Well, my concern there was not to pay demurrage on any merchandise coming in.

Q. Was this what you told Mr. McGuire? Please tell us what was discussed between you.

A. We discussed the possibility of paying demurrage on any can cars or sugar cars that were coming in. However, sugar was coming in by truck, but the cans all came in by bulk cars which had to be unloaded directly into the line. So I discussed with him the amount of cars that were coming in and how long it would take us to use them up, and we also discussed, to some extent, shipments that were leaving because we were concerned with warehousing.

Then I authorized Bill, or ordered him to cut down, after our discussion, to cut down to one shift, as of Friday night, and to notify the cannery to pick out the crew and cut the shift. [2351].

Q. You say "notify the cannery." Was there anyone in particular that you mentioned?

A. No, there wasn't. I only referred, when I say "notify the cannery," I referred to the superintendent of the cannery.

Q. Who was the superintendent of the cannery?

A. Mr. Duckworth.

Q. Leonard Duckworth? A. Yes, sir.

Mr. Karasick: What the witness refers to, I move to strike. I think counsel has asked what was said at this conversation.

Mr. Berke: He is explaining it.

Trial Examiner: I think it is material. Go ahead.

(Testimony of Elmo Martini.)

Q. (By Mr. Berke): Do you remember what time of the day this was?

A. The first thing in the morning.

Q. What do you mean by that, "first thing in the morning"?

A. I usually get in at 8:00 o'clock in the morning, 7:30.

Q. And it was around that time?

A. Yes, sir.

Q. Do you recall a meeting of the employees that was held on October 15, in the warehouse in Molino?

A. Yes.

Q. Who arranged or initiated that deal?

A. I asked that they be called in there so we could talk to them. [2352]

Q. Will you keep your voice up?

A. I asked that we have that meeting.

Q. And when you say you asked that you have it, will you explain what you did or said?

A. I asked Mr. McGuire to tell the cannery, warehouses, that we were having a meeting at 4:00 or 4:30 that afternoon. I have forgotten when it was—and that we wanted the entire staff present at that time.

Q. And at what time of the day was it that you made that announcement?

A. It was in the morning of that day, first thing in the morning.

Mr. Karasick: By "announcement" you meant Mr. McGuire?

(Testimony of Elmo Martini.)

Trial Examiner: I am not sure I understand what day it was you told him that.

The Witness: It was on a Friday.

Q. (By Mr. Berke): Is that the same day as the meeting? A. Yes.

Q. You were present at that meeting, were you?

A. Yes. [2353]

* * * * *

Q. (By Mr. Berke): At this meeting, Mr. Martini, of the employees, on the afternoon of October 15, did any of the employees ask any questions or say anything to you during the course of the meeting? [2354]

Mr. Karasick: To this specifically I object, Mr. Examiner. This has been gone into previously by both counsel.

Trial Examiner: I will permit it. Go ahead.

The Witness: There was one thing that I remember definitely was that some employees, several asked me about their aprons and gloves which they paid a deposit on. I told them they would be sent their checks from the office, and that we would include with the checks those of them that turned their aprons in after their shift, that we would send that money with it, so it would save them a trip back to SAGU.

Some of them at that point said they wanted their money right then and there for their gloves and aprons and that they weren't coming back, so we authorized the office to either write them checks

(Testimony of Elmo Martini.)

or pay them cash for their aprons and gloves, and I believe they have a hat that they wear also.

Trial Examiner: What do you mean "we authorized them"? Did you tell somebody?

The Witness: Yes. I told Mr. Wilson, who is our Office Manager.

Q. (By Mr. Berke): Mr. Martini, earlier in this hearing you testified with respect to the percentage of employees who returned to work at SAGU in the succeeding season. Have you since testifying checked the company records, personnel records, with respect to that matter? A. Yes. [355]

Q. And are you in a position now to give us what those records or your examination of those records show in that respect? [2356]

* * * * *

The Witness: We find that we didn't have over 20 per cent of the old employees that came back.

* * * * *

Q. (By Mr. Berke): Mr. Martini, you said "we find." Did you check the records?

A. Well, I checked with Mr. Wilson, Mr. McGuire, and we went through the records and found out who came back and who hadn't. [2359]

Q. When you say "we" you mean you and Mr. McGuire and Mr. Wilson checked the records?

A. Yes.

* * * * *

Q. (By Mr. Berke): Mr. Martini, I believe you previously testified you were acquainted with Orice Storey, is that correct? A. Yes.

(Testimony of Elmo Martini.)

Q. She was an employee at SAGU last year?

A. Yes.

Q. Mrs. Storey testified that the day after her discharge she returned, and in the presence of Marjorie Byrd saw you outside the tavern and asked you whether she had been fired, and you said yes, and that you also said to her she was a good worker but that "I can't have you talking up this union thing and aggitating" and that you further said, you didn't give a damn what committee she was on.

First let me ask you if you remember the occasion? A. Yes, I do.

Q. Was there such a conversation as I have just related Mrs. Storey testified? [2360]

A. There was not.

Q. Will you tell us, as you recall it, what the conversation was that you had with Mrs. Storey on that occasion?

A. First of all, Mr. Berke, I don't remember of Mrs. Byrd being there. However, I do remember that Mrs. Storey approached me and asked me directly why she was fired. To that I answered that she knew why she was fired and walked away from her. That is all the conversation there was.

Q. Did you make any reference on that occasion to talking with her about you couldn't have her talking up this union thing and aggitating, and you didn't give a damn what committee she was on?

A. No, sir; I did not.

* * * * *

Q. (By Mr. Berke): Mr. Martini, did you know

(Testimony of Elmo Martini.)

an employee by the name of Mary Ann Russell?

A. I know the name.

Trial Examiner: A redheaded girl?

Q. (By Mr. Berke): Can you recall in your mind's eye a girl by that name?

A. Yes; I believe I recall her.

Q. Mrs. Russell testified that about two weeks before the [2361] layoff, at a break about 9:30 a.m., one of the girls asked you why you wouldn't go union, and you said you would shut your plant down before going union and would not pay union wages. You further testified that at various other times you said that, or she testified that you said that. Do you recall such an incident?

A. No, I don't.

Q. Did you at any time, either in response to a question by one of the employees or otherwise, make such a statement as I have here indicated to you that Mrs. Russell testified about?

A. I have not.

Q. Do you recall Lila Laymon, an employee at SAGU last year? A. Yes.

Q. Mary Ann Russell testified that she and Lila Laymon, about two weeks after October 15—and Miss Laymon also so testified—saw you in the warehouse at Molino in the morning and asked if they could be rehired, and that you said that you didn't need any help then, that you would later on; that you further stated that unions were no good as far as a cannery was concerned, but in an auto company like GMC, unions would be all right. You

(Testimony of Elmo Martini.)

further said to them, "You should have thought it over before jumping in," and that you then asked for their addresses and telephone numbers. [2362]

First, let me ask you: Do you recall such an incident after October 15, in the warehouse where Mary Ann Russell and Lila Laymon talked with you? A. Yes; I remember that.

Q. Did you state to them what I have here related they testified as having been said by you?

A. I never said that.

Q. Do you recall the conversation you had with them? A. Yes.

Q. Will you please tell us what it was?

A. I recall they asked me if they could come back to work, and I told them then that I wouldn't know if we needed any help, but it would be a good idea to get their name in and should somebody leave our present employ, they could replace them. So at that point I took their names and addresses and turned them in to the office.

Q. Did you make any reference to unions: "They are no good as far as a cannery is concerned. They were all right for an automobile company," and that they should have thought it over before jumping in? A. I did not.

Q. Did you say any such thing to them, whether it was at the time they testified or at any other time? A. No; I never said that.

Q. Do you recall an employee by the name of Pauline Ploxa? [2363] A. By name only.

Q. Do you recall what she looked like?

(Testimony of Elmo Martini.)

A. No.

Q. Mrs. Ploxa testified that about three weeks after being hired, she testified that she was hired on September 13. While she was working at the slicing machine, she asked you how long the night shift would last, and you said that it would last way into December.

Do you recall her asking you that question and you giving her that answer?

A. I recall that question being asked me by numerous women in the cannery.

Q. You do not recall Mrs. Ploxa asking you that question specifically?

A. No; but I don't doubt that she possibly did, because I really don't know what she looks like.

Q. You say you were asked that question by employees at the plant last year? A. Yes.

Q. Do you recall which employees? A. No.

Q. Do you know about when it was that you were asked that?

A. Oh, I was asked on numerous occasions during the canning season.

Q. And did you respond to the question? [2364]

A. Yes.

Q. What did you say?

A. I always answered it along those lines, that it was hard for me to tell when the night shift would end. It could end in two or three weeks, or it could run until after Christmas, depending upon the general condition of the season itself. [2365]

* * * * *

(Testimony of Elmo Martini.)

Q. (By Mr. Berke): At any time that any of the employees asked you about how long the shift, the night shift, would work, did you ever at any time tell any of them that it would definitely work way into December? A. I did not.

Q. Mrs. Ploxa also testified that at the October 15 meeting of the warehouse employees, you told the employees, "I will see you next year, those who are not on the list."

Did you make any such statement?

A. I did not.

Q. Mrs. Ploxa also testified that after the meeting of October 15, right after, she and Ida Fishelson talked to you. Do you have an employee by the name of Ida Fishelson, or did you last year?

A. Yes. [2366]

Q. Mrs. Ploxa said that she and Ida Fishelson talked to you and that Ida said she had a warehouse in Santa Rosa which you could rent and that you replied, "There was more to it."

Do you recall a conversation in which Mrs. Fishelson stated she had a warehouse in Santa Rosa you could rent?

A. I did not.

Q. Did any employee, to your knowledge, offer to rent you a warehouse in Santa Rosa?

A. No, sir. [2367]

* * * * *

Q. (By Mr. Berke): I believe you previously testified that you have an employee at SAGU by the name of Clarence Storey; is that correct?

(Testimony of Elmo Martini.)

A. Yes, sir.

Q. Mr. Storey testified here that sometime in September you said to him, "Mine and Storey's horses don't pull together. We can't get along."

Did you ever make such a statement to Mr. Storey, whether it was in September or any other time? A. No, I didn't.

Q. Mr. Storey also testified that on September 25, at about 11:45 a.m., you came out of the south door in the cannery and called him over into the street on company property and asked him, "Do you know what your wife is doing? She is forming a committee on the night shift. You go out and fire her."

Mr. Storey said to you, "That is your fucking job. If you want to fire her you go fire her. I only work here. You are the boss."

Was there such a conversation between you on that date or at any other time?

A. There was a conversation, but it was not that conversation that you just read.

Q. Do you recall September 25?

A. Yes.

Q. Did you talk with Mr. Storey on that day?

A. Yes. [2369]

Q. Where did you talk with him?

A. I talked with him right there near his dumping station, which is at the south end of the cannery, off to one side.

Q. Was there anyone else present besides you

(Testimony of Elmo Martini.)

and Mr. Storey in the conversation, or in the immediate presence of the two of you?

A. I believe Mr. Duckworth was there.

Q. Will you tell us what was said and by whom at that conversation?

A. Yes; I merely told Mr. Storey that I had just discharged his wife and that the next time that I had a complaint on anyone of my people that he had left his post, that I would fire him also, and I walked away. [2370]

* * * * *

Q. (By Mr. Berke): Was Tony Bondi present at that time? A. No.

Q. Mr. Storey testified that his wife was on her own time and you said, "Why don't they get their fucking committee and get it over with," and that you further said, "I am the boss. Why in the hell don't you get Bertolucci and Rhodes to shut the goddamn thing down. If you don't, I am going to," and you stated you forbid talking about the union on company property.

Did you so talk to Mr. Storey on that occasion or on any other occasion? A. I did not.

Q. Do you recall an employee by the name of Eloise Munger? A. Yes.

Q. She testified that on September 10 or 11, 1954, before school started she told you she was getting married in October and wanted to work part time, and that in the course of that conversation you asked her if they were getting a square deal and if she knew that if the union got in she couldn't

(Testimony of Elmo Martini.)

work part time, that the union tried to get in two years before, and if you could prevent them this year they couldn't get in before four or five years.

Was there such a conversation with Eloise Munger? [2371] A. There was not.

Q. Did you ever make such a statement to her, whether it was before school started in September, 1954, or any other time, or any other employee?

A. No, sir.

Q. Eloise Munger testified further that on the day Mrs. Storey was fired, she and John Chames were in the SAGU office at noon and you came rushing in, slammed the door, and screamed, "That damned Storey woman. I am going to get rid of her. She is always talking union."

Did such an incident occur, Mr. Martini?

A. No, sir.

Q. Do you remember the day Mrs. Storey was discharged? A. Yes, I do.

Q. What day was that?

A. On September 25.

Q. What year? A. 1954.

Q. And at any time during that day, did you rush in to your office and slam the door and either scream or shout out, "That damn Storey woman. I am going to get rid of her. She is always talking union."? A. I didn't do that.

Q. Do you recall an employee by the name of Mrs. Tripp? A. Yes. [2372]

Q. Did she work for the company last year?

A. Yes.

(Testimony of Elmo Martini.)

Q. Mrs. Tripp testified that two weeks before October 15 you said to her, "It would be nice if we can get Storey,"—referring to Mr. Storey—"over to the can car. He would be away from his job and we would have an excuse to fire him."

Did you make such a statement to Mrs. Tripp, whether it was two weeks before October 15 or at any other time? A. I did not.

Q. Did you make any statement to Mrs. Tripp or to any other employees that you would like to find an excuse to fire Clarence Storey?

Mr. Karasick: Object. The question has been asked and answered.

Trial Examiner: Overruled.

The Witness: No.

Q. (By Mr. Berke): Mrs. Tripp further testified that about three weeks before October 15, you, in the presence of Tony Bondi and someone else whom she couldn't identify, stated you knew your biggest trouble maker, who your biggest trouble maker with the union was, and you pointed in the direction of Clarence Storey.

Did such an occurrence take place, Mr. Martini?

A. It did not.

Q. Did you ever make such a statement, that Mr. Storey was [2373] your biggest trouble maker with the union? A. No, sir.

Q. You recall the election that was held at the plant in October of 1954? A. Yes.

Q. Mrs. Tripp testified that on the day of the election she met you at Molino Corners at the filling

(Testimony of Elmo Martini.)

station at about 7:00 p.m., and that you asked her how she voted and that she laughed. She said she was surprised she was layed off and that you said, "Oh, were you," and asked her name and telephone number and told her you would call her in a few days.

Do you remember an incident with Mrs. Tripp at Molino Corners in the filling station?

A. Yes.

Q. Did the conversation, as I have related it here, as having been testified to by her, occur at that time?

A. The conversation occurred, but it was not in those words there, Mr. Berke.

Q. On the occasion of your conversation with her at the filling station at Molino Corners, who was present besides you and Mrs. Tripp, if anyone?

A. I don't remember anyone else. Undoubtedly there was, though.

Q. I mean, within the immediate area. [2374]

A. Just the two of us.

Q. Did you have a conversation with her?

A. Yes.

Q. Would you please relate it and identify who is speaking?

A. I remember definitely that I asked her if the election returns suited her, and then, of course, I am sure she was having a beer, so I offered to buy her one, and she told me then that she was either separated from her husband or her husband had died and she has a little girl about three or four

(Testimony of Elmo Martini.)

years old, and she sure needed the work. She wanted to go to school, and she told me she had been laid off, which I didn't know, and so I told her then that if she would put her name in to the office there would undoubtedly be somebody that would leave prior to the end of the season and she could get back on. To that, she gave me her telephone number and her address and I turned it in to the office.

Q. Did you, in the course of the conversation, ask her how she voted? A. How she what?

Q. How she voted. A. No, I did not.

Q. Do you recall an employee by the name of Gloria Lindsey? A. Yes.

Q. Did she work for SAGU last year?

A. Yes. [2375]

Q. Gloria Lindsey testified that while working at the squirrel cage in the cannery sometime in August, you asked her and Gloria Pate if they worked for the union, and you said to them that they shouldn't be, that in the long run it would be better for them to stick with you and that they would get a 5 cent raise next year, and the year after that \$1 an hour.

Did you, during the month of August, 1954, ever ask Gloria Lindsey and Gloria Pate if they were for the union? A. I did not.

Q. Did you, during that month, tell them they shouldn't be for the union, that in the long run it would be better for them to stick with you, that they would get a 5 cent raise next year and the year

(Testimony of Elmo Martini.)

after that \$1 an hour? A. No, sir; I did not.

Q. Did you ever tell either one of those two employees, whether it was August or any other time during the 1954 season, the matters that I have related here as having been testified to by Gloria Lindsey? A. No, I didn't.

Q. Gloria Lindsey also testified that sometime in October you said to her and Gloria Pate that if the plant would go union you would lose too much money and you would close down in Santa Rosa.

Did you make such a statement? [2376]

Trial Examiner: Let me hear the last part of the question.

(Question read.)

The Witness: No; I didn't make such a statement.

Q. (By Mr. Berke): Did SAGU have a plant in Santa Rosa in 1954? A. No, sir.

Q. Did you say anything to them about you had to close down in Santa Rosa? A. No.

Q. Did you say anything at all about closing down the plant to Gloria Lindsey or Mrs. Pate, or either one of them, or Gloria, or either one of them, if the plant went union?

A. No, sir; I did not.

Q. Gloria Lindsey also testified that after Mrs. Storey's discharge, while Gloria Lindsey was working in the can car, you asked her if she was trying to change them over to the union, and that she said you would put her over by Mrs. Storey so the two of them could have a ball.

(Testimony of Elmo Martini.)

A. I didn't say that.

Q. Did any such conversation take place at, in or near the can car with Gloria Lindsey?

A. No, sir.

Q. Did you ever say that to Gloria Lindsey? Whether she worked in the can car or elsewhere, during the 1954 season at [2377] SAGU?

A. No, sir.

Q. I don't know whether I asked you this or not. Do you recall an employee by the name of Gloria Pate? A. Yes.

Q. She worked for SAGU during the 1954 season? A. Yes.

Q. Gloria Pate testified in this proceeding that on October 18, about 9:00 a.m., she saw you near the cannery and told you she had been laid off and wanted to know why. You said that you did not know, and you asked her if her name was on the list, and then she told you that you were hiring other people right now and you or they were retaining them on seniority.

First, let me ask you: Do you recall that conversation with Gloria Pate on October 18?

A. I recall talking to Gloria after the layoff, yes.

Q. And do you recall where that conversation took place?

A. Yes. I was coming from the scale house, which is north of the cannery, and I met her between the cannery and the warehouse.

Q. You say it was after the layoff? Could you

(Testimony of Elmo Martini.)

be a little more specific with relation to when you commenced the scale shipping?

A. On the following Monday. [2378]

Q. Following Monday?

A. Following the layoff day of Friday.

Q. Was there a conversation between you and Gloria Pate such as I have related that she testified to here? A. No.

Q. Did you have a conversation with her on that Monday? A. Yes.

Q. Tell us what the conversation was, please.

A. She told me that she was laid off, and I said, "Were you?" She also told me that she needed the money, and I told her I had nothing to do with the list, and also told her that she should apply at the office, that there might be a vacancy, and she could get back on it at a later date. That is the extent of the conversation I had with Gloria.

Q. Do you remember a female employee by the name of Joanne Chames?

A. I don't recall her right at the moment, no.

Q. Do you know her by the name of Joanne Schwartz? A. No.

Q. Well, Joanne Chames—since married and now known as Joanne Schwartz—testified that in the middle of the week sometime about the second week in September, while she was working on the slicer or belt—she wasn't sure which—a screen was not letting the chips fall out of the apples; she told you the screen had to be changed and you said you couldn't [2379] change it then but that you would

(Testimony of Elmo Martini.)

later; that it was changed three days later, three days after she told you, and on a Saturday.

Do you remember a conversation with an employee, whether it be Joanne Schwartz, or some other employee concerning the screen at the slicer or the belt?

A. Yes. I remember it was at the shaker table. I don't remember this particular woman, but I do know that in walking past there, the entire crowd was after me to change that screen because it was letting too many chips in.

Q. When you say "the entire crowd," who do you mean?

A. I mean the girls at the table, and I am sure at that time we must have had about 80 there. They—there were three on each side, and two on the side of the elevator.

Q. Will you tell us the conversation?

A. Well, the girls just asked me about changing the screen because it was involving a lot of work for them. Any screen that lets the chips run over the top of it and onto the belt will create a lot of extra work for the women that are behind it, and of course we were doing the best we could, the best we could with the equipment that we had. [2380]

* * * * *

Q. Was that screen changed? A. Yes.

Q. How long after it was brought to your attention?

A. Oh, at the time it was brought to my attention we already knew about it and we had to get a

(Testimony of Elmo Martini.)

new one. All screens of that nature are woven for us by, I believe, Link Belt in San Francisco. They have the only metal weaving shop in San Francisco, and it is all custom made. It took a few days to get it up here.

Q. And so was the change made as soon as you could get a new screen? A. Yes.

Q. Mr. Martini, is SAGU a member of the co-op cannery? A. Yes.

Mr. Karasick: Object to the question and move the answer [2382] be stricken on the ground it is not the best evidence. It is an opinion and conclusion of the witness.

Trial Examiner: Overruled.

Q. (By Mr. Berke): Do you know when SAGU became a member of the Sebastopol Co-op Cannery?

Mr. Karasick: Object.

Trial Examiner: Overruled. You may have a continuing objection.

The Witness: We became members there—SAGU did, or we paid our membership fees on January 25, 1951.

Q. (By Mr. Berke): And to your knowledge, did SAGU remain a member of the Sebastopol Co-op Cannery at that time?

Mr. Karasick: Object.

Trial Examiner: Overruled.

The Witness: Yes, we are members of the Sebastopol Co-op Cannery.

Trial Examiner: Not are you, but have you been?

(Testimony of Elmo Martini.)

Q. (By Mr. Berke): Would you like the question read to you again?

A. Yes, if I answered it wrong.

(Question read.)

The Witness: Yes.

Q. (By Mr. Berke): To your knowledge, Mr. Martini, has SAGU remained a member of the Sebastopol Co-op Cannery since January 25, 1951?

A. Yes. [2384]

* * * * *

Q. Does this humidity or fog that you have described have an effect upon the tin cans in which you store the apple product? A. Yes, it does.

Q. What effect does it have upon tin cans in which apple products are packed?

A. It will cause them to rust.

Q. Tell us whether or not that is a reason for requiring storage of such tins of apple products in insulated warehouses.

A. In Sebastopol that is possibly the only reason for the use of good insulated warehouses.

Q. If cans packed with apple products rust, tell us whether or not that has an effect upon the grading of the product.

A. It doesn't necessarily have any effect on the inside grade of the product, but it certainly has an effect on the sales value of the particular can.

Q. What effect does it have?

A. Well, in short, I would say that it would cut its sales value in half. [2388]

* * * * *

(Testimony of Elmo Martini.)

Q. (By Mr. Berke): What happens, if you know, Mr. Martini, to cans containing apple products that are affected by rust; that is, what is done with them?

A. Well, we will go through a particular lot that shows rust, and in many cases some of the rust will be rubbed off with either steel wool or some such cleaner. Those that are too bad, where the rust is already indented into the metal will be discarded. If the rust hasn't gone through, we sell them to what we call "junkies" or fellows that buy nothing but dents and rusts in cans that are not in No. 1 condition.

Q. Are those that are sold to so-called "junkies" sold for the same price as the ones where you are able to remove the rust? A. No.

Q. Are they sold for more or less?

A. They are sold for less.

Q. And then you said those where the rust had gone through the tin are discarded. What do you mean by that?

A. Well, if the rust is completely through a can where it has caused it to swell, that is discarded and thrown out into the junk heap, or buried, or dumped in the city dump. [2389]

* * * * *

Cross Examination * * * * *

Q. (By Mr. Karasick): I think you have made a statement that last year there was a spoilage of about 700 tons of apples, or a loss of that?

A. Yes, sir.

(Testimony of Elmo Martini.)

Q. Do you remember last June you had a meeting, or made a statement that this would have processed apple sauce, some 40,000 cases, I think you estimated, which bring approximately \$100,000 to the growers? A. Yes.

Q. And this is about the price that the growers would have gotten, about \$2.50 a case?

A. \$2.50 a case? No, a little above that. [2391]
* * * * *

Q. (By Mr. Karasick): Was that the maximum or minimum?

A. \$2.70 was my minimum selling price. [2392]

Q. \$2.70 was the minimum selling price per case Choice? What was the maximum you got last year for Choice per case? A. \$2.80.

Q. Then \$2.80 would not represent the average price last year for Choice, would it?

A. No, sir.

Q. What was the average?

A. For Choice?

Q. Yes. A. \$2.70 or slightly above.

Q. Approximately \$2.70 was the average price per case for Choice? A. Yes.

Q. What was the average price per case for Fancy last year?

A. I would say \$2.80 average. [2393]

* * * * *

Q. What percentage of the apple crop last year was canned by SAGU as distinguished from fresh fruit sale? A. Over 50 per cent.

Q. Was canned? A. Yes.

(Testimony of Elmo Martini.)

Q. Was this usual or unusual?

A. Well, I only know two years, over the past two years.

Q. Well, may I direct your attention to this, before you answer, Mr. Martini, without interrupting you. I notice you were pausing there. You know what the experience at SAGU has been since 1951, even though you weren't here as General Manager all that time, don't you? You have seen the books and records? A. Yes.

Q. Since the cannery has been at SAGU since 1951, is 50 per cent canning as against a 50 per cent sale of fresh fruit the approximate experience each year?

A. Will you read that question for me?

(Question read.)

Mr. Berke: That assumes something not in evidence and misstates the evidence.

Trial Examiner: I will sustain the objection. His testimony was that more than 50 per cent was canned. [2406]

Q. (By Mr. Karasick): Did you say more than 50 per cent was canned? A. No.

Q. Or was that approximate?

A. I said that for the period of 1954, but we weren't talking about 1951.

Q. No. Maybe we are confused here. Did I understand you correctly that in 1954 approximately 50 per cent of the apples received ultimately became canned products; is that what you told me?

A. Possibly a little bit more.

(Testimony of Elmo Martini.)

Q. Appreciable or a substantial amount? I want your best estimate of the percentage.

A. Say 55 per cent.

Q. Was 55 per cent of the apples received during the season being canned usual or unusual in terms of SAGU's past experience this season?

A. It was pretty close to the 1953 season, Mr. Karasick, but it was unusual, if you date back beyond that date.

Q. To when?

A. To 1950, we will say, through '51.

Q. In 1950 there was no cannery.

A. '51 and '52; it would be unusual if you would take those two years into account.

Q. What would be unusual? [2407]

A. We didn't can that much during '51 and '52.

Q. Your facilities weren't as great, were they?

A. In '51, no.

Q. You only had one shift in '51, didn't you?

A. Yes.

Q. In '52 you didn't have as big an operation as you did in '53, did you? A. No.

Q. Do you remember talking about the shaker belt? A. Shaker screen?

Q. Yes. A. Yes.

Q. How big a screen is it?

A. It is a 4 x 8, 4 x 8 feet, 4 feet wide and 8 feet long.

Q. And could you operate without that screen? Let me ask you this, first, to make the question in-

(Testimony of Elmo Martini.)

telligible to you, Mr. Martini: The screen was used for what process, slices or sauce or both?

A. Slices only.

Q. Could you operate in slices without that screen at all?

A. Oh, I suppose you could. Those screens aren't too old. They are quite a new type of machinery.

Q. By some chance, if the screen was completely broken and couldn't operate, would you as a good operating manager, operate if the screen were broken, or would you wait until you [2408] got a new one?

A. You could operate by extending your finish line there. I suppose before they had shaker screens that is the way they did it. They would run all the apples on the belts and women would sort out the chips from there. The only difference would be that you would be using probably three times the amount of women that you normally would use with the shaker screen.

Q. And if—and it might affect the quality of the product, so it would be down graded. You might get less thorough inspection as a result, is that right?

A. It could be.

Q. This screen helps that, doesn't it?

A. It helps, yes. It certainly gets rid of the small things that are very difficult to take out.

Q. Did you have an extra one of these shaker screens in the event one was to break or become ineffective?

A. No, sir; we do not.

Q. How long had that shaker screen been in?

(Testimony of Elmo Martini.)

A. Just during that season, during a portion of that season. We had another type before that that wasn't adequate.

Q. That screen had been in use for sometime and then was replaced with the screen you are talking about?

A. The screen that we are talking about now, the 4 x 8, was put in there over a weekend. I ordered the screen from Link [2409] Belt and it arrived at our plant, so we pulled the present screen that we had and put this one in its place.

Q. The original screen, how long was that in operation?

A. The year previous and up to the time we put the new one in.

Q. It had worked previously?

A. Well, it worked. I wouldn't say it worked all right. That is why we removed it.

Q. Did you have any complaints about it before this complaint? A. About what?

Q. The shaker screen?

A. Oh, yes. We used to have complaints. The other screen was a lot smaller. It was only a 2 x 4. This was just twice the size, and apples used to go through there sometimes six inches deep, and they would shake their heads off, but they wouldn't shake the chips out.

Q. What was the matter with this screen?

A. It was too small.

Q. Too small?

(Testimony of Elmo Martini.)

A. Yes. The holes in the screen itself were too small.

Q. And this was or wasn't the first time it came to your attention that the holes were too small?

A. We knew they were too small.

Q. You did? [2410]

A. Usually those things are brought to my attention by the employees. We knew about it, and we had one on order by the time that was being brought to my attention by various people on that line.

Q. How long had you known that it was too small? A. We knew it an hour afterwards.

Q. The second week in September, is that right, this conversation took place? A. Yes.

Q. This matter came up, right? A. Right.

Trial Examiner: Just a minute. You interrupted the witness. I wanted to hear what his answer was. I think he said, "We knew it an hour after it was put in," is that right?

The Witness: Yes.

Q. (By Mr. Karasick): And then it was in, I think you said, the prior season and was in this season; is that right? A. Yes.

Q. It was in this season or last season, I mean, 1954 only? A. I don't get you.

Q. When was the screen which was finally replaced first put into the operation, Mr. Martini?

A. The one that was replaced was put into operation at the beginning of the season in 1953.

Q. And was used during the 1953 season? [2411]

A. And into the 1954 season.

(Testimony of Elmo Martini.)

Q. And was replaced sometime in the latter part of September, 1954; is that right?

A. I don't remember the exact day. I would have to check the record on that. I suppose that is about right.

Q. I think you testified that your main reason—well, before the 1954 warehouse was completed, the No. 5 that you have talked about, where did you store the canned product that was processed by SAGU, 1952, '53 and '51?

A. The cannery warehouse proper has—well, it did at that time, anyway, had 100,000 case storage in the cannery building itself.

Q. Wait just a minute there, if you don't mind. The cannery warehouse, that is the one that is part of the cannery; is that right? A. Yes.

Q. And that had a storage capacity of what?

A. Approximately 100,000 cases, I judge, at that time.

Q. What time was this?

A. Well, you mentioned the prior years.

Q. 1951, '52 and '53.

A. And '54. It was quite a bit larger than it is now, too.

Q. So 1951 through 1954 was greater capacity?

A. Yes.

Q. It was just this year that you have enlarged the plant to [2412] accommodate greater production facilities? A. 1955, yes.

Q. Was that the only place that you used for storage, just at the cannery warehouse at SAGU?

(Testimony of Elmo Martini.)

A. No. I believe one year we stored in our No. 2 packing shed in Sebastopol.

Q. What year was that?

A. I don't know. I am not too sure whether it was '53 or '52. It seems to me like it was '52.

Q. And what other facilities have you used for storing?

A. We used porches at SAGU, at the Molino plant.

Q. What other facilities?

A. We used the cold storage rooms, or one of the rooms. We never used the other. We have only used one.

Trial Examiner: During 1954?

The Witness: Yes; we went into cold storage early in December after the plant was empty and dry. We moved a lot of our merchandise from other sections of the plant into the cold storage.

Q. (By Mr. Karasick): What other storage facilities have you used in the past?

A. That is it; that covers them, the cold storage, No. 2, porches, and the regular cannery. [2413]

* * * * *

Q. (By Mr. Karasick): By that, what do you mean? Have you been connected or associated with any company or enterprise in these fields in the past?

A. With several.

Q. With several? A. Yes.

Q. Which have they been, Mr. Martini? [2428]

A. I was connected with my father.

Q. What enterprise was that?

(Testimony of Elmo Martini.)

A. Well, it was known then as the Old R. Martini Wine Company.

Q. Where was that located?

A. Where I now reside.

Q. Where is that?

A. Eight miles west of Santa Rosa.

Q. Not in a town? A. No.

Q. And what other enterprise have you been engaged in?

A. Then I worked for W. A. Taylor and Company.

Q. Where were they located?

A. We were located in Santa Rosa.

Q. When was this? You began to say something and I interrupted you.

A. 1943 to or through 1952. [2429]

* * * * *

Redirect Examination * * * * *

Q. (By Mr. Berke): I believe you testified under Mr. Karasick's examination that the No. 2 packing shed in Sebastopol was used for storing SAGU's canned products sometime prior to 1954; is that correct? A. Yes.

Q. Do you recall what year it was that it was used for that purpose?

A. No. But my recollection would be that it was 1952.

Q. And did anything happen to the canned products that were stored in that packing shed?

A. Yes.

Q. What?

(Testimony of Elmo Martini.)

A. Well, there was a considerable amount of rust that the [2433] boys tell me they ran into after it had been stored there for several months.

Q. You made reference, in the description of other space that was used for storing canned goods, to porches. What porches were those?

A. There are two major porches at the Molino plant, Mr. Berke. One being on the east side of the cold storage plant and the other one on the south side of the cannery building proper.

Q. Looking at General Counsel's Exhibit 22, which shows the four buildings at Molino premises, will you point to where the porches are with respect to those buildings?

A. There is one porch here (indicating).

Q. You are pointing to that building described on the diagram as "Cold Storage"? A. Yes.

Q. And is it correct that you are pointing to the east end of that building? A. That is right.

Q. And you say there was a porch there?

A. Yes.

Q. And where is the other porch that you had reference to?

A. The other porch is on the southern part of this building here.

Q. You are pointing to the southern portion of the building [2434] on the diagram, General Counsel's 22, indicated as the cannery and warehouse?

A. Yes.

Q. Were those porches used to store canned apple products at SAGU?

(Testimony of Elmo Martini.)

A. We used them some last year in 1954, and in 1953 I had a somewhat sad experience with the porch on the cannery warehouse where I had approximately 25,000 cases there that we ran into a rain storm coming from the southern end of the county. The best we could do was put some freight cars there and keep the rain off them. However, the damage to them was quite extensive.

Q. What porch was that?

A. That is the porch on the south side of the cannery. [2435]

* * * * *

Q. (By Trial Examiner): If you had storage facilities in 1954 for additional canned goods, would you have had enough apples on supply to operate two shifts the rest of November? A. No.

Q. Can you explain the reason for that in terms of supply of late apples, or anything like that?

A. Well, Mr. Hemingway, at the time of the layoff there were no more apples than what we stated, approximately 250 tons. I am not going to sit here and tell you that I couldn't run longer than that, but I couldn't have run fruit that we had, that our own growers have. We have often had growers in the Watsonville section deliver us fruit on a co-operative basis, so you just don't read into the future those things that could happen where other sections could come in with apples and have us process them for them.

Q. After October 15, 1954, did you receive apples

(Testimony of Elmo Martini.)

from any [2449] source besides your own growers?

A. No, we did not.

Q. Had you in more than one of the previous years?

A. I only know of one previous year where we received apples from another section.

Q. How long would the canned goods remained stored on a porch each of the cold storage plant before they were moved out?

A. I don't remember just how long we kept them there.

Q. Do you remember when the porch was finally empty?

A. No; I don't remember that, but I know this: that we shipped all shipments that were going out. We tried to take off that porch so that we would get the stored fruit back further in toward the end of the wall. There is one section of that porch also that is sealed. It has siding all around it. It was an open shed, and for this purpose we have since sealed it. That was done in 1953.

Q. Do you remember when you started putting canned goods on that porch during the season last year?

A. No; but I would say it was along sometime in October.

Q. I would like to get the picture here. Was it customary to keep canned goods at that porch all the time because it was easier to get out the shipment, or did you only put it on the porch after the warehouse filled up?

(Testimony of Elmo Martini.)

A. No; we only put it on the porch after the warehouse filled [2450] up. I might add this too: that that porch is used for storage of fresh fruit cartons, fresh fruit boxes, shook, spray materials, and we have kind of a tough time in rearranging what is being stored there to make room for something else.

Q. What was the storage capacity for canned goods on the porch?

A. I don't know what it would be. At the cold storage plant?

Q. Yes.

A. If you could free the entire thing, I would say that it would hold 50,000 cases.

Q. Would that be about half the amount of the regular warehouse?

A. That would be half the amount of the regular warehouse at the cannery but not half of the other one.

Q. That is another thing I want to get straightened out. I believe you said there was a porch on the south side of the cannery in which you had previous years stored canned goods. A. Yes.

Q. Is there a warehouse space at the cannery in addition to that? A. In addition to the porch?

Q. Yes. A. Yes. [2451]

* * * * *

Q. (By Trial Examiner): You say that the cannery warehouse would hold 100,000 cases?

A. We classify it as a 100,000 case warehouse, or we did at that time.

(Testimony of Elmo Martini.)

Q. And the new warehouse, that is, the remodeled one which you designated as warehouse No. 5 on General Counsel's Exhibit 22, would hold how much?

A. Well, at the outside, it will hold 180,000.

Q. Was all that space filled in 1954?

A. Yes.

Q. Both of those areas? A. Yes.

Mr. Berke: Let the record show what reference is meant by "both of those".

Trial Examiner: Warehouse No. 5 and the warehouse in the cannery.

Q. (By Trial Examiner): Is that right?

A. Yes.

Q. And can you tell me which one filled up first, if that is the case?

A. Well, they will fill up simultaneously; it all depends. On one side we keep maybe sliced apples, and on the other side we may be running sauce, so it is hard to tell which way we do it. Sometimes we run fruit from this side to this one to make the—to make it handier for the boys in the shipping room. [2453]

Q. At what point were you forced to discontinue storing in those warehouses because they were full?

A. Well, they were full, I would say, around the first part of October. We were having trouble in finding storage space in warehouses then.

Q. Between then and the end of the canning season, where did you store your canned goods?

A. We stored it here, because we kept shipping

(Testimony of Elmo Martini.)

out of these places, out of these two warehouses and kept filling up the places that we shipped, and we moved some down to this porch on the east side of that one (indicating).

Q. East side of that? A. Yes.

Mr. Berke: East side of what?

Trial Examiner: Cold storage plant.

Q. (By Trial Examiner): Well, when you shipped out, you didn't try to ship out from the porch before you started taking them out of warehouse No. 5?

A. We either shipped out of there or shipped out of here.

Q. When you say "here" you mean warehouse No. 5?

A. Yes; it all depends on what we were shipping. We had three or four—oh, a lot of things there, so in some cases you might have had an order for a top Fancy applesauce, and it had to come out of this warehouse.

Q. Warehouse No. 5? [2454]

A. Yes; because it was stored there, whereas we would have liked to ship it from the porch, but it wasn't stored there.

Q. You just had the Choice there?

A. Well, we had some slices there also. I remember having some slices down there.

Q. Have you ever had any experience with cans rusting on the porch of the cold storage plant or in the warehouse of the cannery proper? A. Yes.

(Testimony of Elmo Martini.)

Q. How long do cans have to be in that place before they will start to rust?

A. It all depends, Mr. Hemingway, what the weather conditions are. If you should have heavy rains with very humid weather, they will start rusting in two weeks, sometimes even sooner than that. If you should have an Indian Summer where you don't have any rains until December, that fruit is all right out there. We often cover it with paper.

Q. During the year before the next canning season starts, do you ultimately get rid of all the canned goods that are in the warehouse?

A. No, not always.

Q. You sometimes carry them over a second year?

A. More often we do than times we don't.

Q. Where do you start canned goods—where did you store canned goods that coop canned for you? [2455]

A. They were all put in the No. 5 case warehouse because they were stacked bright.

Q. Without labels?

A. No, just put on pallets, one can on top of the other. There were no cases to them at all.

* * * * * [2456]

Q. (By Mr. Berke): Were any of the apples in 1954 sent to driers by SAGU, Mr. Martini?

A. Yes.

Q. When did you begin that season to send some of the SAGU apples to driers?

* * * * *

(Testimony of Elmo Martini.)

The Witness: We started going to driers from our SAGU Station plant almost immediately when we started that plant up in July, sometime in July, and shortly thereafter we [2462] moved culls from that plant into the various driers.

Q. (By Mr. Berke): In the month of September when you testified that you started again sending apples to Sebastopol Coop for processing there, did you send any of the apples to driers at that time? A. Yes.

Q. Which driers?

A. Well, I am sure of Pleasant Hill Drier. They handle a lot of apples, so we go there quite a little bit. I am not sure of the other five. Some of them may shut down, like the Molino Drier shuts down very soon after the season. The Green Valley Drier shuts down after the Gravenstein season generally, so Pleasant Hill was open and I know we went there and probably went to Sebastopol Processing. However, I am not too sure of Sebastopol processing. I am sure of Pleasant Hill.

Q. Were the driers in 1954 able to process all the apples that you sent them? A. No. [2463]

* * * * *

Q. (By Mr. Berke): Will you tell us the reason for that, to your knowledge, Mr. Martini?

Mr. Karasick: Object to that.

Trial Examiner: Overruled.

The Witness: The driers have their own fruit company; that is, growers that are bringing directly from the field in to the drier.

(Testimony of Elmo Martini.)

Q. (By Mr. Berke): Are you telling us about the 1954 season?

A. Yes. To the extent where they are usually pro-rating their individual growers, those that have fruit they must take, they will pro-rate the growers maybe to a load a day because of a glutted fruit market. Their yards are practically covered in fruit, so rather than get too much in there, they leave it in the orchards and let the growers bring in so much. They would do the same for us.

If we have made arrangements to haul fruit in to the drier, they will let us take in maybe a load a day, where we should be taking ten loads a day.

* * * * * [2464]

Q. (By Trial Examiner): Did the plant with which you were connected for Taylor discontinue business while you were connected with it, or any other plant? A. Yes.

Q. Which ones?

A. The Santa Rosa plant, the plant that I now have out there. [2470]

Mr. Berke: Out where?

The Witness: Six miles west of here, which I mentioned before. Those two were shut down and they maintained the Hollister plant, which is located nine miles east of Hollister.

Q. (By Trial Examiner): Do you know whether or not the union in any way was a contributing cause in the closing of those plants?

A. Well, one plant was not union. The larger one of the two was non-union.

(Testimony of Elmo Martini.)

Q. That was not the one in Santa Rosa?

A. The one in Santa Rosa was union. No, I wouldn't say that.

Trial Examiner: Anything further?

Mr. Karasick: Yes.

Q. (By Mr. Karasick): When did the Santa Rosa plant shut down, what year?

A. I think it was 1951. Well, it was '51 or '52.

* * * * * [2471]

PAUL A. BONDI

called as a witness by and on behalf of the Respondent, being first duly sworn, was examined and testified as follows:

* * * * *

Direct Examination

Q. (By Mr. Berke): Mr. Bondi, are you also referred to as Tony Bondi? A. Yes, sir.

Q. Do you own an apple ranch or orchard?

A. I do.

Q. Did you last year in 1954? A. Yes.

Q. For how many years have you owned a ranch? A. Since 1936.

Q. And how many acres did the ranch contain last year? A. 100 acres.

Q. Tell us whether or not the 100 acres are planted in apples trees.

A. They are. There are about 80 acres of bearing trees and 20 non-bearing.

Q. How many tons of apples did you get from your ranch or orchard? By the way, is it referred

(Testimony of Paul A. Bondi.)

to as a ranch or an orchard? A. Orchard.

Q. How many tons of apples did you get from your orchard in 1954?

A. Just about 1,500 tons.

Q. Are you a member of any apple co-op?

A. Yes, I am.

Q. Which one or ones?

A. Sebastopol Apple Growers Union, and the Pleasant Hill Co-op Dryers.

Q. How long have you been a member of the Sebastopol Apple Growers Union? [2479]

A. Since 1943.

Q. How long have you been a member of the Pleasant Hill Co-op Dryers? A. Since 1950.

Q. Do you hold an office in either of those organizations? A. Yes, I do.

Q. What office do you hold in the Sebastopol Apple Growers Union?

A. I am Chairman of the Board.

Q. And for how long have you been Chairman of the Board? A. A little over two years.

Q. And what is the office that you hold in the Pleasant Hill Co-op Dryers? A. Secretary.

Q. How long have you been Secretary of that organization? A. A little over three years.

Q. In 1954, what did you do with the apples that were harvested from your orchard?

A. We delivered them to the Molino plant, those that were picked off the trees; those that were picked off the ground, why, we delivered them to the Pleasant Hill Co-op Dryer.

(Testimony of Paul A. Bondi.)

Q. You refer to the Molino plant? Your Sebastopol Apple Growers Union is also known as SAGU or Molino? A. Yes.

Q. What are the apples referred to that you pick off the [2480] ground and send to the Dryer?

A. Windfalls.

Q. During the 1954 season, did General Manager Elmo Martini have a discussion with you about the condition of the apples at SAGU?

A. Yes, he did.

Q. About when did he have this discussion?

A. About the middle of September.

Q. And where did it take place?

A. I was walking from the packing house towards the cannery——

Q. This is at Molino?

A. At Molino. He was walking from the cannery towards the office. He stopped and asked me if I had——

Q. Just a moment. Before the conversation began, let me ask you this: Who was present during the course of that conversation? A. No one.

Q. That is, no one other than you and Mr. Martini? A. Yes.

Q. Go ahead and tell us what was said.

A. He asked me if I had seen the apples that came out of the cold storage. They just started to run them that afternoon. I told him I had not. He said they were very bad, for me to go up and look at them.

Q. Wait a minute. Is that all the conversation?

(Testimony of Paul A. Bondi.)

A. At that time, yes.

Q. Did you go and take a look at the apples?

A. I did.

Q. Where did you go?

A. At the dumping station at the cannery where the apples were dumped at the grate.

Q. And you looked at the apples? A. I did.

Q. What did you see.

A. They were very badly bitter pitted, and there was quite a numerous amount of rot.

Q. Did you have another discussion with him after you looked at them? A. Yes.

Q. When did you have that?

A. A short time after.

Q. Wait a minute; the same day?

A. The same day.

Q. And where did that discussion take place?

A. It was in the office.

Q. In whose office?

A. In the Manager's office.

Q. And who was present?

A. Just Mr. Martini and myself.

Q. Will you please relate the conversation and identify who [2482] was speaking?

A. I told him that something would have to be done and have to be done immediately to save the apples that still could be used for processing.

Q. What did he say? A. He agreed.

Q. How did he agree?

A. He said, "Yes, that must be done."

Q. Was that all the conversation?

(Testimony of Paul A. Bondi.)

A. We talked of the Co-op cannery contacting them and having them process apples for us.

Q. Do you recall a Board meeting with the Board of Directors of SAGU held on October 12, 1954?

A. I do.

Q. Were you present?

A. Yes.

Q. Can you tell us as nearly as you can recollect who else was present at that meeting?

A. There was our Manager, Mr. McGuire.

Q. Wait a minute. Your Manager, Mr. McGuire?

A. Our Manager, Mr. Martini, Mr. McGuire, Mr. Hallberg, the late Frank Tragero, Bert Batten, Guerrazzi, Elma Hankins, Ivan Roberts, Joe Cor-doza, Ezra Briggs, Mr. Miller; that about covers them, I think.

Q. You said that Mr. Hallberg and the late Mr. Tragero were [2483] present?

A. Yes.

Q. Was either Mr. Hallberg or Mr. Tragero members of the Board of Directors?

A. No.

Q. When were regular meetings of the Board of Directors scheduled to be held?

A. The second Wednesday of each month.

Q. According to the calendar, October 12 was a Tuesday. Do you recall that meeting was held on Tuesday?

A. Yes, I do.

Q. Was there a regular meeting?

A. It was a regular meeting.

Q. Who called it?

A. I did.

Q. How did you call it, Mr. Bondi?

(Testimony of Paul A. Bondi.)

A. I asked the girl at the switchboard to contact the Board members.

Q. What did you tell her, as near as you recall?

A. I told her to tell the Board members that we were having the meeting one day previous because of Mr. Hallberg attending the meeting with Mr. Tragero.

Q. Was there any discussion at that meeting by Mr. Hallberg or Mr. Tragero?

A. Yes, there was. [2484]

Q. Will you tell us what was said?

A. Well, the purpose of Mr. Hallberg being there, and Mr. Tragero, they had come there about a week previous and stated they were going back East. They didn't know exactly what day, but they wanted to know if the Sebastopol Apple Growers Union would become members of a National Apple Institute, that an assessment would be made of five cents a green ton in order to promote apples. Mr. Hallberg, being President of the California Apple Council, was very much interested to get as many members as possible.

Q. Were there other matters discussed at that meeting besides this matter that Mr. Hallberg brought up? A. Yes, there was.

Q. Was there a discussion about the apples at that meeting? A. Yes.

Q. Will you tell us what was said and identify who is speaking, please?

A. Mr. Martini mentioned the shortage of warehouse space left. Then Dr. Winkler—

(Testimony of Paul A. Bondi.)

Q. What did Mr. Martini say, as near as you recall?

A. He said, "We are getting very limited on warehouse space. The applesauce is not moving out quite as fast as it should be in order to have enough warehouse space for the amount of applesauce being made, so something will have to be done." After some discussion, Dr. Winkler made a motion that we should [2485] go to one shift instead of two shifts.

He also said that the discretion should be up to our Manager, Mr. Martini, whenever he saw fit.

Q. Was there any opposition to that motion?

A. There was not.

Q. Did you preside at that meeting?

A. Yes, I did.

Q. In 1954 did SAGU have any insulated warehouses? A. Yes.

Q. How many? A. One.

Q. Where was that?

A. The north side of the cannery at Molino.

Q. Had you at any time during your services as Chairman of SAGU's Board had an experience with rusted cans containing SAGU's apple products?

* * * * *

Trial Examiner: The answer is either yes or no.

The Witness: Yes.

Q. (By Mr. Berke): When did you have that experience, Mr. Bondi? [2486] A. 1952.

Q. Where did you have the experience?

A. We saw some apples at No. 2 packing house.

(Testimony of Paul A. Bondi.)

Q. Where is that located?

A. It is located on McKinley Street in Sebastopol.

Q. Can you tell us——

A. Excuse me; McKinley and High.

Q. Can you tell us about the time of that?

A. I think it was in the month of October.

Q. Will you please tell us what that experience was?

A. I noticed that quite a number of cans had become rusty, evidently due——

Q. No. Where were the cans that you noticed in that condition?

A. The cans were in that warehouse, or the old packing house.

Q. Did you look at the cans?

A. Yes, I did.

Q. Did you notice their condition?

A. I did.

Q. Just tell us what you saw.

A. There was quite a number of cans that had become rusty.

Q. Was anything done about those cans?

A. Yes.

Q. Will you tell us what was done?

A. We got some men to clean off the rust.

Q. And then what happened to those cans?

A. They were salvaged; most of them were salvaged. Some were beyond salvaging, but most were salvaged.

(Testimony of Paul A. Bondi.)

Q. What did you do with those that were beyond salvage? A. They were dumped.

Q. Do you recall a meeting on October 15, 1954, held in the warehouse at SAGU of the employees?

A. Yes.

Q. Were you present at that meeting?

A. I was.

Q. Did you take part in it? A. Yes.

Q. Did you speak? A. I did.

Q. Did you speak from notes or did you speak without notes? A. I had notes.

Q. Do you have those notes now? A. No.

Q. Have you looked for those notes?

A. Yes, I did.

Q. Have you been able to find them?

A. No.

Q. How recently did you look for them?

A. About two weeks ago.

Q. Do you recall what you said at that meeting? [2488] A. Yes.

Q. Please tell us what you said, as near as you recall and using as near as you can the language that you used.

A. I told the employees that there was very little space left in the warehouse, that we were sorry that we had to lay a shift off; that there wasn't too many more apples to come in from the growers and there was not too many left in cold storage.

I also stated that in the past two seasons, at the end of the season, the employees were invited to

(Testimony of Paul A. Bondi.)

Q. Where is that located?

A. It is located on McKinley Street in Sebastopol.

Q. Can you tell us——

A. Excuse me; McKinley and High.

Q. Can you tell us about the time of that?

A. I think it was in the month of October.

Q. Will you please tell us what that experience was?

A. I noticed that quite a number of cans had become rusty, evidently due——

Q. No. Where were the cans that you noticed in that condition?

A. The cans were in that warehouse, or the old packing house.

Q. Did you look at the cans?

A. Yes, I did.

Q. Did you notice their condition?

A. I did.

Q. Just tell us what you saw.

A. There was quite a number of cans that had become rusty.

Q. Was anything done about those cans?

A. Yes.

Q. Will you tell us what was done?

A. We got some men to clean off the rust.

Q. And then what happened to those cans?

A. They were salvaged; most of them were salvaged. Some were beyond salvaging, but most were salvaged.

(Testimony of Paul A. Bondi.)

Q. What did you do with those that were beyond salvage? A. They were dumped.

Q. Do you recall a meeting on October 15, 1954, held in the warehouse at SAGU of the employees?

A. Yes.

Q. Were you present at that meeting?

A. I was.

Q. Did you take part in it? A. Yes.

Q. Did you speak? A. I did.

Q. Did you speak from notes or did you speak without notes? A. I had notes.

Q. Do you have those notes now? A. No.

Q. Have you looked for those notes?

A. Yes, I did.

Q. Have you been able to find them?

A. No.

Q. How recently did you look for them?

A. About two weeks ago.

Q. Do you recall what you said at that meeting? [2488] A. Yes.

Q. Please tell us what you said, as near as you recall and using as near as you can the language that you used.

A. I told the employees that there was very little space left in the warehouse, that we were sorry that we had to lay a shift off; that there wasn't too many more apples to come in from the growers and there was not too many left in cold storage.

I also stated that in the past two seasons, at the end of the season, the employees were invited to

(Testimony of Paul A. Bondi.)

a dinner by the employer, and that this year the same would be done. They were invited then.

Q. Is that all that you recall that you told them?

A. Yes.

Q. Were you the first to speak, or the last to speak, or what?

A. I am sure I was the second to speak.

Q. And did you remain after you spoke?

A. Yes, I did.

Q. Did any of the employees present complain to you that they were getting short notice?

A. No.

Q. Did you hear any of the employees while you were there complaining about getting short notice? A. I did not. [2489]

Q. Did any employees afterwards complain to you that they had got short notice?

A. No, they didn't.

* * * * *

Q. (By Mr. Berke): Do you know a man by the name of Bertolucci? A. Yes, I do.

Q. Did you have occasion to see him on or about February 5 or 6 at a tavern near SAGU?

A. Yes.

Q. What is Mr. Bertolucci's first name, do you know? A. I can't recall.

Q. If you heard it, do you think you would recognize it? A. I am sure.

Q. Angelo? A. That is right.

Q. Angelo Bertolucci testified here that on February 5 or 6 [2490] at a beer tavern across from

(Testimony of Paul A. Bondi.)

SAGU he met you and present also were Ziggy and John Gregori, and that there was discussion about a layoff in October, and that in the course of that discussion you said that a few on the Board of Directors were against the layoff because they had thousands of boxes in cold storage and they had already diverted quite a few elsewhere.

Was any such thing said in the conversation?

A. No.

Q. Do you recall having a conversation with Mr. Bertolucci on that occasion? A. I do.

Q. Who was present when you had this conversation?

A. There was Ziggy Gregori—excuse me; I misunderstood your question.

At the time there was Mr. Bertolucci and I.

Q. Were the Gregoris present in the conversation between Mr. Bertolucci and you?

A. Part time.

Q. Were they there at the beginning?

A. No.

Q. Will you tell us what the conversation was and identify who spoke?

A. We greeted each other, shook hands. He asked me how the pruning was getting along in the orchard. He then said, "Why don't you let the union come in?" I answered that [2491] I had nothing to do with that, nor the organization. It was entirely up to the employees.

He then said, "I hope everything that is said here will be confidential."

(Testimony of Paul A. Bondi.)

I answered that it didn't matter to me. He went on to say that he knew the plant in the Sebastopol area was not operating efficiently enough to be able to pay the top California cannery scale, and that if we did let the union in, they would not insist that those wages be paid immediately. There would probably be a 5 or 10 cents an hour raise from the present wages the first year; a little more the second year; and so on.

He said in no case would we ever think of closing down the plants because of wages being too high, so we wouldn't be able to pay them. He said we will be much better off if we would join, we would save money, attorney fees, time and also we wouldn't have to pay the people that were laid off just before the election.

He said, "The reason you people laid off that group was so you could win the election and you laid off just pro-union employees." I told him that he was absolutely wrong, that was not the case.

I then called William Gregori over. He came and I asked William, I said, "Bill, what was the reason that shift was laid off?" [2492]

He said there was a shortage of warehouse space.

Q. Was this in the presence of Mr. Bertolucci?

A. It was.

Q. Was there any further conversation?

A. Someone interrupted in a rather gruff voice talking with Mr. Bertolucci.

Q. Who was that, do you know?

(Testimony of Paul A. Bondi.)

A. I don't know. I walked away and I didn't hear the rest of the conversation.

Q. Was John Gregori in that tavern that night in your company and Mr. Bertolucci's company?

A. No.

Q. You mentioned William Gregori.

A. Yes.

Q. Was there any other Gregori there that night besides William?

A. His brother, Ziggie. [2493]

* * * * *

Q. (By Mr. Berke): Mr. Bondi, do you know Mrs. Orice Storey? A. I do.

Q. Was she an employee at SAGU last year?

A. She was.

Q. And did she work there in previous years, or in 1953 did she, to your knowledge?

A. I think she did.

Q. Mrs. Storey testified here that in the latter part of 1953 she saw you put a mouse in a can and put it on the trim belt, and that the girls screamed and you came back into the cannery laughing. Did such an occurrence take place?

A. Absolutely not.

Q. Did it take place at any time during the 1953 season?

A. Not as far as I was concerned, no.

Q. Do you know Clarence Storey? A. I do.

Q. Was he an employee at SAGU in 1954?

A. Yes. [2494]

Q. He testified in this hearing that about Aug-

(Testimony of Paul A. Bondi.)

ust 15, 1954, you put a live mouse in a can and dumped it into the flume with apples, and that there was screaming in the cannery. Did you do such a thing? A. No, I never.

Q. Whether on that date or any time during the 1954 season? A. Correct.

Q. Was there an instance about that time involving a live mouse? A. Yes.

Q. Did you see the incident?

A. I was there.

Q. Will you please tell us what occurred?

A. I was where the apples were being dumped, watching the apples come over the grader, and as the box of apples was dumped, a mouse ran out.

A young man rushed after it and caught it by the tail, walked towards the women on the belt in the pick-out belt, and one screamed. I asked him to come back. I said, "Don't do that. Somebody can easily get hurt."

He came towards me and I said, "Get rid of it." He put it in a can.

Q. Did you have anything to do with that can?

A. No.

Q. Did you see what happened to the can and mouse after that? [2495]

A. I did not.

Q. Do you know who the young man was?

A. His last name is Reynolds.

Q. Do you know a woman by the name of Mrs. Tripp?

(Testimony of Paul A. Bondi.)

A. I don't think so; I may know her if I see her.

Q. You don't recall the name?

A. No, I don't.

Q. Mrs. Tripp testified in this hearing that three weeks before October 15, Elmo Martini, you and some other man whom he did not identify, were present near Clarence Storey, and that Elmo Martini, on that occasion, said he knew his biggest trouble maker with the union was and he pointed in the direction of Clarence Storey.

Did such an incident take place in your presence? A. No.

Q. Did you ever hear of Elmo Martini making reference to Clarence Storey as his biggest trouble maker with the union? A. No.

Q. Mrs. Tripp further testified that at the October 15 meeting in the warehouse of the employees you said that all would be invited to dinner at the close of the season, and those on the list were to remain and the others were discharged, and that the employees could turn in their receipts for their caps and aprons and get their money back.

Did you say those things? [2496]

A. I did not.

Q. Have you related to us as near as you recall in the language you used what you did say?

A. I have.

Q. Did you say that those in the list were to remain and others were discharged? Did you make any reference to that? A. No.

(Testimony of Paul A. Bondi.)

Q. Did you say that the employees could turn in their receipts for their caps and aprons and get their money back? A. No.

Q. Do you know a young lady by the name of Gloria Pate? A. No.

Q. Gloria Pate testified in this hearing that at the October 15 meeting in the warehouse you said you hoped everybody would come back next year.

Did you make such a statement in the course of your remarks? A. No, I didn't.

Q. Clarence Storey testified that on September 29, 1954, about 11:45 a.m., Elmo Martini came out of the south door in the cannery and called Clarence Storey over out into the street on company property and asked him, "Do you know what your wife is doing? She is forming a committee on the night shift. You go out and fire her."

Clarence Storey further testified that he said, "That is your fucking job. If you want to fire her, you go fire [2497] her. I only work here. You are the boss."

Then Clarence Storey further testified that on that occasion Leonard Duckworth said he had two witnesses to prove she was forming a committee, two girls, and then you, Bondi, came around the truck and said, "If you have two witnesses, that is enough. I will sign her check."

Did any such incident take place?

A. Not to my knowledge.

Q. Did you ever make a statement that "If you

(Testimony of Paul A. Bondi.)

have two witnesses, that is enough. I will sign her check"? A. No.

Q. Did you sign Mrs. Storey's checks?

A. Yes, I did.

Q. Where did you sign it?

A. Signed it in the office?

Q. Do you know when it was that you signed it?

A. You mean what time of the day?

Q. The day, if you know it, with relation to the time of her discharge, which was September 25.

A. Leonard Duckworth asked me if I would sign a check.

Q. No; where was Leonard Duckworth when he asked you that? A. In the office.

Q. Which office?

A. In the regular office where the bookkeepers are working. And the switch board operator.

Q. Is that the building where Mr. Martini has his office? A. Yes.

Q. Was Clarence Storey present at that time?

A. No.

Q. Again referring to September 25, at about noontime, Clarence Storey says that on the occasion I have just told you he testified about, that he told Mr. Martini that his wife was on her own time and that Martini said, "Why don't they get their fucking committee and get it over with."

Martini further said, "I am the boss. Why in hell don't you get Bertolucci and Rhodes to shut the goddamn thing down. If you don't I am going

(Testimony of Paul A. Bondi.)

to," and that Martini further said he forbids talking about the union on company property.

Did you hear any such conversation?

A. No.

Q. Did any such conversation take place in your presence? A. No.

Mr. Berke: You may cross examine. [2499]

Cross Examination * * * * *

Q. (By Mr. Karasick): Who spoke before you did at the meeting at the warehouse on October 15?

A. Mr. Martini.

Q. What did he say? A. I don't know.

Q. You were there when he spoke, were you not?

A. Well, I wasn't in hearing distance. I was behind.

Q. Behind whom?

A. I was in the rear of him. I wasn't near him.

Q. How far were you from him?

A. About from here to the wall (indicating).

Trial Examiner: About 15 feet?

Mr. Karasick: I will so stipulate.

Q. (By Mr. Karasick): You were 'standing back of him about 15 feet?

A. It was probably 20 feet.

Q. 20 feet in back of him? You and he were facing the employees?

A. I don't recall. Maybe if I heard the conversation over again I would.

(Testimony of Paul A. Bondi.)

Q. That may be, but I am asking you if you recall from your own recollection?

A. Give me some time.

Q. Take all the time you want.

Mr. Berke: Mr. Karasick is clocking you, Mr. Bondi, but take your time anyway.

The Witness: I remember something, yes. He told them of the shortage of space in the warehouse, that one shift would be laid off.

Q. (By Mr. Karasick): Did he say which shift would be laid [2511] off?

A. I don't recall that, no.

Q. What else did he say?

A. He said that as much as possible the people would be laid off according to seniority. [2512]

* * * * *

Q. And that canning was done on a basis of the co-op charging SAGU a flat fee per case based on co-op's estimated cost plus a margin for their service; is that right? A. Yes. [2533]

* * * * *

Q. Did you talk to Mr. Briggs, or did he talk to you once or more than once during 1954 about this?

A. I recall this one time we talked about it.

Q. About the time that you had this conversation with Mr. Martini you have related?

A. No; this was previous.

Q. How much previous? A. Say a week.

Q. About the first week of September?

A. Yes.

(Testimony of Paul A. Bondi.)

Q. Was anyone else present?

A. Not that I recall.

Q. Just the two of you? A. Yes.

Q. Would you tell us what the conversation, in substance, was? [2535]

A. The conversation was that if we were going to have too many apples here at this plant, we should know at the Co-op cannery so we can figure on processing for you. [2536]

* * * * *

Q. One more thing, Mr. Bondi. You mentioned that there was a shortage of warehouse space which was discussed at the Board of Directors' meeting on October 12, 1954; is that right? A. Yes.

Q. How much space was left at that time in the warehouse?

A. I would say 15 to 20 thousand cases.

Q. 15 or 20 thousand cases? There was room for 15 or 20 thousand cases, is that what you are saying?

A. I don't recall if there was any specific number of the amount of cases. By looking at the warehouse myself, I would say 15 or 20 thousand.

Q. That there was still room for, but that was all? A. Yes.

Q. Is that what you are saying? A. Yes.

Q. This is in which warehouse?

A. In the new one.

Q. What about the cannery warehouse?

A. As I remember, it was full. [2540]

* * * * *

(Testimony of Paul A. Bondi.)

Recross Examination * * * * *

Q. (By Mr. Karasick): You wipe them before they go into cold storage?

A. The culls are all wiped. They go through the packing house first.

Q. Why do you wipe them when you put them in cold storage?

A. We have no alternative after they go through the packing house. The better ones are taken out, which can be shipped, and the others are put in cold storage, and they are all wiped at the same time.

Q. Why can't they just wipe the apples they are going to pick out for fresh fruit shipment and not go through the burden [2543] of wiping the other apples that are put in cold storage?

A. They are dumped; they go over a small eliminator, then through a wiper, and then a grader where the women pick out the imperfect apples, but they are all wiped at that time.

Q. Is there any reason why the grader can't come before the wiper?

Mr. Berke: Just a moment.

The Witness: I never thought of that.

Trial Examiner: Sustained.

Mr. Berke: This is going far afield.

Mr. Karasick: I think this goes to the issue.

Trial Examiner: The question is how it was done.

Mr. Berke: What Counsel is trying to do is get this company to change its operations.

(Testimony of Paul A. Bondi.)

The Witness: Maybe that would be all right, I don't know.

Q. (By Mr. Karasick): Now that I have called that to your attention, does that seem a good idea?

* * * * * [2544]

Recross Examination * * * * *

Q. (By Mr. Karasick): I believe you said that bruised apples can't be kept as long in cold storage as apples that are not bruised. Can [2557] you give me an estimate as to how long unbruised apples could be kept in cold storage under the conditions that you have at SAGU?

A. Culls or otherwise?

Q. Culls, not bruised.

A. A cull will last a long time in cold storage if not bruised.

Q. In a matter of months?

A. Oh; if they are matured, I would say two months, on Gravensteins.

Q. And if they are bruised?

A. If they are bruised, they don't keep as long.

Q. Two months? A. Probably a month.

Q. Do you know how long apples in cold storage in 1954 had been there at the time when you discussed sending them to the Co-op?

A. They were put in about the 20th of July.

Q. Where did the apples come to that were sent to the Co-op for canning in 8-ounce cans the first time when you had them on the first job? Did they come from cold storage? A. No.

Q. Where did those apples come from?

(Testimony of Paul A. Bondi.)

A. They came directly from the plant, as excess apples that you couldn't use that were not cold storage. [2558]

Q. So from the time that you started operations in July apples were going into cold storage?

A. Yes.

Q. Do you know whether or not there was any effort made to have the first apples in the cold storage put in an accessible place so they could be first removed? A. That is done.

Q. Do you know how long they continued to put in cold storage after July 20?

A. Until about the 1st of September or the latter part of August. [2559]

* * * * *

ERROL DAVID WILSON

a witness called by and on behalf of the Respondents, being first duly sworn, was examined and testified as follows:

* * * * *

Direct Examination

Q. (By Mr. Berke): What is your occupation, Mr. Wilson?

A. I am the accountant for the Sebastopol Apple Growers Union.

* * * * *

A. As Office Manager and Accountant.

Q. Do you have people working under your supervision at SAGU? [2570] A. I do.

Q. Did you in 1954?

A. Did I have people under me?

(Testimony of Errol David Wilson.)

Q. Yes. A. Yes.

Q. How many people worked under you in 1954?

A. Seven. [2571]

* * * * *

Q. (By Mr. Berke): Do you have the payroll records for an employee by the name of Susie Coats? A. I have.

* * * * *

Q. (By Mr. Berke): Mr. Wilson, you have the two documents pertaining to Susie Coats. Will you tell us what the larger of the two documents is?

A. That is the employee's personnel payroll record.

Q. And what is the smaller document that appears to be a card?

A. That is the weekly time card.

Q. And where is the information taken from that appears on the larger document, the payroll record? A. It is taken from the time card.

Q. And the information that appears on the time card, where does that come from?

Trial Examiner: You mean the one he has in his hand?

Q. (By Mr. Berke): The small one, yes.

A. Those cards are in racks in the cannery. Each one has his own number and it is punched in the time clock.

Q. Was the larger sheet—what did you call it?

A. Personnel payroll record.

Q. The personnel payroll record? Can we refer to it as "payroll record" for short?

(Testimony of Errol David Wilson.)

A. Payroll record.

Q. Was that made by you or under your supervision and direction?

A. Made under my supervision.

Q. And is that an original personnel payroll record of that particular employee, Susie Coats?

A. Yes.

Q. Does that contain information showing when she first was employed by the company?

A. Yes.

Q. And does it contain information as to when her employment ended?

Mr. Karasick: At this point may I ask, limit it to the foundation with respect to the document, without getting into the document itself.

Trial Examiner: The question is merely whether the document shows that information, not what the information is.

Mr. Karasick: All right.

Trial Examiner: He may answer.

The Witness: Yes.

Q. (By Mr. Berke): Will you tell us what it shows as to when Susie Coats was first employed by the company? [2619]

A. September 28. [2620]

* * * * *

Q. (By Mr. Berke): Mr. Wilson, showing you the time card of Susie Coats that you testified about, is it correct that it shows that card is for the pay period ending October 16, 1954? [2625]

A. It does.

(Testimony of Errol David Wilson.)

Q. And is it correct that it only contains—will you tell us what it shows with respect to that pay period as to the date when Miss Coats or Mrs. Coats last worked during that pay period?

A. The card indicates that she worked on Tuesday, October 12. She punched in at 3:53 p.m. She punched in again at 9:54 p.m. and punched out at the close of the shift on Wednesday, 1:05 a.m.

I might explain the reason for only having three time clock punches. We only have a half hour for a meal. And if all of them are required to punch both in and out in that half hour, a big portion of their time would be taken punching the clock and they would be delayed. We were assured by both the Wage and Hours and the State Welfare that it was permissible that they wouldn't have to punch out and they would punch in at their mealtime.

Q. So that the second column, where it is punched in, represents, as I understand your testimony, the time sheet punched in after her lunch period?

A. Yes.

Q. How many hours did she work that week? Is that indicated on the card?

A. Eight hours. [2626]

* * * * *

Q. (By Mr. Berke): Mr. Wilson, I think there is a pending question, but I will ask you, does there appear on this payroll record of Susie Coats any of the information that appears on the time card?

A. The week ending the period and the number of hours worked for the week.

(Testimony of Errol David Wilson.)

Q. Will you state what it is as you go along?

A. The week ending October 16, eight hours.

Q. Is that the total number of hours that she worked during that pay period, according to this payroll record? A. It is.

Q. And does it show the amount of pay that she received?

A. It shows the gross amount of pay. [2627]

Q. How much is that? A. \$8.

Q. And does it show whether a check was mailed to her?

A. It indicates that a check was mailed.

Q. Is it correct that the time card has in pencil on it the word "quit"? A. It has.

Q. Does "quit" appear on the payroll record of Susie Coats that you hold in your hand?

A. There is a notation "quit, 10-12-54."

Q. Does the payroll record show the date when she was employed by the company?

A. It shows, "employed, 9-28-54."

Q. The record also shows in ink—that is the payroll record—that after the words "date terminated, 10-15"; is that correct? A. Yes.

Q. Can you explain that with reference to what you have just read after the words, "reason: quit, 10-12-54"?

A. As I said before, our practice there, when an employee failed to report for work after a day or two, or three days, they were considered as terminated. [2628]

* * * * *

(Testimony of Errol David Wilson.)

Q. Do you have a payroll record with you, Mr. Wilson, for Edna McCarl? A. I have.

Q. You have handed me what purports to be a time card and a personnel payroll, or two time cards, I should say, and a personnel payroll record for Edna McCarl, have you? A. I have.

Q. Were those taken from the personnel payroll records of the company? A. They were.

Q. And were those records made and kept in the same manner as you have described the making of the personnel payroll record and time card of Susie Coats? A. They were.

Q. And were those made under your direction and supervision? A. They were.

Q. And were these records kept under your custody and control at the Sebastopol Apple Growers Union? A. They were. [2629]

Q. One of these time cards is for the pay period ending October 9, 1954, is it not? A. Right.

Q. Will you tell us what it shows with respect to the last date worked during that pay period?

A. It indicated she worked on Friday. There is a stamp over there that indicates she came to work at 6:48 a.m. and checked out at 11:42 a.m.

Q. And does it show the number of hours that she worked during that week ending October 9, 1954? A. 21 and three-quarters.

Q. Is some of the information that appears on the time card I have just asked you about on the payroll record of Edna McCarl?

(Testimony of Errol David Wilson.)

A. The week ending October 9 is indicated and the number of hours, $21\frac{3}{4}$.

Q. And is the amount she was paid for that period also indicated? A. It is.

Q. And what does that show? A. \$20.66.

Q. Does it show that she was paid that amount for that period?

A. She was paid that amount, less the Social Security and Income Tax withholdings, in the amount of \$18.64. [2630]

Q. And does it show she was paid by check?

A. Check No. 131.

Q. I show you a second time card in the name of Edna McCarl for the pay period ending 10-23-54. That card delivery for the period—first, what is 7-101?

A. That is the accounting number for the work she was doing.

Q. The second card for the pay period ending October 23, 1954 is different than the first card and has information at the top in pencil; is that right?

A. That is right.

Q. Is there some reason for that, to your knowledge, Mr. Wilson?

A. Yes; it is a customary practice to type up the cards on a Friday or Saturday for those we expect to return to work on Monday. When they first come to work they report in and usually the floor lady or somebody in the plant just writes their name in pencil for that first week, showing the week ending pay period, and their name.

(Testimony of Errol David Wilson.)

Q. Did you search the company records for time cards between those two pay periods, October 9 and October 23? A. I did.

Q. And did you find any for Edna McCarl?

A. I did not.

Q. Does this second card for the pay period ending October [2631] 23, 1954, contain entries as to days and hours worked? A. It does.

Q. And what does it show as to the last day she worked during that period?

A. She worked on Saturday, October 23.

Q. How many hours does that time card show she worked for that period? A. 48 hours.

Q. Is the information on that time card on the payroll record of Edna McCarl?

A. The individual personnel records show she worked the week ending October 23, for eight hours.

Q. Does it show how much she was paid for that period? A. \$48.

Q. Was she sent a check in that amount?

A. She probably picked it up. I don't think it was sent to her.

Q. Was she given a check?

A. Yes; for \$42.46.

Q. Is the check number indicated on there?

A. 599.

Q. I notice on this payroll record that column No. 3—that is between the period ending October 9 and the period ending October 23—is blank. Can you explain that, Mr. Wilson? [2632]

(Testimony of Errol David Wilson.)

A. Yes. In the payboard system, the week ending should be the same on every page. In other words, this page, October 2, is line No. 1, and all corresponding employees would be for that same period, the week ending October 2, on line No. 1.

The second line is a week ending October 9, the third line on other employees who work would be the week ending October 16, and so on down. This indicates that she did not work that week.

Q. Does the payroll record show that she worked beyond the week ending October 23, 1954?

A. It does.

Q. What was the last entry on that payroll record?

A. The week ending November 6.

Q. And does it show how many hours she worked that week?

A. 40 hours.

Q. And does it show how much she was paid?

A. \$40 was her earnings, and she was given check No. 1,000 in the amount of \$36.10. [2633]

* * * * *

Q. (By Mr. Berke): Do you have the payroll record for Julia Row?

Mr. Wilson, going back for a moment to the payroll record of Edna McCarl, does that show the date her employment terminated?

A. It does not show the final date terminated. We consider she failed to show up, or report for work is better, and we considered her as terminated on October 8.

Mr. Karasick: Just a moment, Mr. Examiner.

(Testimony of Errol David Wilson.)

I move to strike the witness' testimony, "we considered" and so forth.

Trial Examiner: All right; granted.

Q. (By Mr. Berke): Just answer my question: Does this document show the date her employment terminated? A. Yes.

Q. What date does it show?

A. October 8.

Q. What year? A. 1954.

Q. Does it give the reason? A. Quit.

Q. Mr. Wilson, you have handed me two time cards and a [2634] payroll record with respect to Julia Row, also known as Julia Ann Row; is that correct? A. Correct.

Q. One of these time cards is for the pay period ending October 9, 1954; is that right?

A. Right.

Q. And what does it show with respect to the last day she worked during that pay period?

A. Showed she worked Wednesday, October 6.

Q. Will you read what the entry is?

A. She punched in, reported for work at 3:54 p.m., the afternoon of Wednesday. She reported back from her meal period at 8:28 p.m. Wednesday, and checked out at the end of the day at 12:32 a.m., Thursday. She worked eight hours.

Q. That day? A. That day.

Q. How many hours all together, according to that card, did she work during that pay period?

A. Sixteen hours.

Q. Looking at the payroll record, are some of

(Testimony of Errol David Wilson.)

the entries on this card on the payroll record of Julia Row?

A. Yes; the payroll record indicates she worked the week ending October 9, 16 hours.

Q. How much was she paid; does that show?

A. \$16. She was given check No. 187 in the amount of \$14.82. [2635]

* * * * *

Q. (By Mr. Berke): Well, looking at the next time card, that is for the pay period ending October 30, 1954, is it not? A. Yes.

Q. That at the top has entries in pencil, doesn't it? A. Yes.

Q. Can you tell us why that is?

Q. As explained before, the payroll cards for the employees we feel will be back Monday are made up on a Friday or Saturday, and they are typed. In this case there was no card typed up, and when she reported for work, whoever put her on, the cannery wrote that up in longhand. [2636]

* * * * *

Q. (By Mr. Berke): What you are telling us is the practice that was followed at SAGU in those instances? A. It is the practice.

Q. What does the card for the pay period ending October 30, 1954, show as to when Julia Ann Row last worked during that period?

A. Thursday, October 28.

Q. Will you tell us what the entries are for that day on that time card?

A. She reported in at 7:49 a.m. on Thursday.

(Testimony of Errol David Wilson.)

She returned from her lunch period at 12:54 p.m., checked out her time card at 5:02 p.m.

Q. How many hours did she work that day?

A. Eight hours.

Q. How many hours did she work according to the card during that pay period?

A. Sixteen hours.

Q. Is the information that is on this card, or some of the information on that card on the payroll record of Julia Row?

A. The payroll record shows that she worked the week ending October 30, 16 hours.

Q. And does it show how much she was paid?

A. It shows she was paid \$16.

Q. Did she actually receive a check? Does it show in that amount?

A. Check No. 853 was written in the amount of \$14.82. [2638]

* * * * *

Q. (By Mr. Berke): Did you search to see if there was a time card for Julia Ann Row between the pay period ending October 9 and the one ending October 30, 1954? A. I did.

Q. Did you find any? A. No.

Q. Did Julia Ann Row work beyond the pay period, beyond October 30, according to the payroll records you have in your hand? A. She did.

Q. What is the last entry with respect to when she worked?

A. The week ending December 11, 1954, she worked 36 hours.

(Testimony of Errol David Wilson.)

Q. And how much does that show she was paid?

A. \$36 gross pay, check No. 1750 was issued in the amount of \$30.62.

Q. Can you explain the difference between the \$36 gross pay and \$30.62?

A. Deductions were made as follows: the Federal Old Age Annuity, \$.72; State Unemployment Insurance, \$.36; Income Tax Withheld, \$4.30.

* * * * *

Q. Do you have a payroll record with respect to Stella Vessels? A. I do.

Q. Mr. Wilson, you handed me two time cards and a payroll record for Stella Vessels, have you not? A. I have.

Q. Where were those taken from?

A. From the payroll records in the office of SAGU. [2640]

Q. And were the entries that were made on those documents made in the same manner that you have described the entries for Susie Coats' records?

A. They were.

Q. And were they made under your direction and supervision? A. They were.

Q. And have you had custody and control of these records?

A. They have been maintained in the office, yes.

Q. Under your personal supervision?

A. Yes.

Q. I show you a time card for the pay period

(Testimony of Errol David Wilson.)

ending October 16, 1954. Will you tell us what the last entry on that time card shows?

A. It shows that she punched in the morning of Wednesday, October 13, at 6:53 a.m. She returned from her lunch period at 11:54 a.m. She punched out—she didn't punch out, but it is in pencil indicating that she left at 12:00 noon that day.

* * * * *

Q. (By Mr. Berke): How many hours does it show she worked that day? [2641]

A. Five hours.

Q. Over in the far left-hand column appears in pencil something that looks like initials; is that correct? A. Correct.

Q. Do you know whose initials those are?

A. No, I don't.

Q. Do you know why the time appears in pencil, 12:00 o'clock as indicated on that card?

A. The 12:00 was punched incorrectly under the "In" column, and they carried it over to the "Out" column.

Q. I see. There is 12:00 punched with "W", and a line has been drawn through it in the "In" column; is that correct? A. Yes.

Q. And in that same column appears "W-11:54"; is that correct? A. Yes.

Q. Has that happened on other occasions where the time would be punched in an incorrect column and the correct time would be written in pencil?

A. It has.

(Testimony of Errol David Wilson.)

Q. How many hours does the card show she worked that week? A. 21 hours.

Q. Would you look at the payroll record and tell us whether some of the entries on the card I have just interrogated you about appear on the payroll record for Stella Vessels? [2642]

A. The payroll record for Stella Vessels shows she worked the week ending October 16, 21 hours. Her gross pay was \$19.95; check No. 298 was issued in the amount of \$15.85, with a notation that the check was mailed.

Q. By the way, does that payroll record show the date when Stella Vessels was employed?

A. It shows she was employed September 17.
* * * * *

Q. What does this time card show with respect to when Stella Vessels last worked during that pay period of October 23, 1954?

A. It showed she worked October 23, Saturday.

Q. Will you read the entries as to that date?

A. She reported in for work, on the time clock, at 7:50 a.m. on Saturday. She reported back from her lunch period at 12:51 p.m.; checked out on the time clock at 5:01 p.m., and worked eight hours.

Q. What does it show with respect to the total number of hours she worked for that pay period?

A. 40 hours.

Q. Looking at the payroll record of Stella Vessels, do some of the entries that appear on this particular time card appear on the payroll record?

A. Yes.

(Testimony of Errol David Wilson.)

Trial Examiner: This particular card we are referring to shows week ending what?

Mr. Berke: The 23rd. I have identified [2645] that in the previous question.

Q. (By Mr. Berke): Go ahead.

A. It shows that she worked the week ending October 23, 40 hours.

Q. Does it show how much she was paid?

A. It shows that her gross earnings were \$40, and check No. 642 was issued in the amount of \$31.50.

Q. Does it show that she worked after that particular period of October 23, 1954?

A. It does.

Q. What is the last pay period entry on that particular payroll record?

A. The week ending December 11, 1954.

Q. Does it show how many hours she worked?

A. 43 hours.

Q. Does it show the amount she was paid?

A. Her gross earnings were \$43, and check No. 1763 was issued in the amount of \$33.91.

Q. Have you the payroll record of Edith Wasin?

A. Yes.

Q. Mr. Wilson, you handed me two time cards and a payroll record in the name of Edith Wasin; is that correct? A. Correct.

Q. Where did those come from?

A. From the accounting records and payroll records in the [2646] office of Sagu.

Q. And were those made in the manner that you

(Testimony of Errol David Wilson.)

previously described, the other payroll records and time cards? A. They were.

Q. And were those made under your direction and supervision? A. They were.

Q. And were they kept at the company under your custody and control? A. They were.

Q. And will you look at the time card for the pay period ending October 16, 1954? I have handed you such a card, have I not? A. Yes.

Q. How many entries appear on that card for that week?

A. Including the hours worked, three.

Q. I mean how many entries by day?

A. One.

Q. Will you tell us what it shows as to the date and the entries as to that particular date?

A. It shows she worked October 11, on Monday, written in in red, 6:57 a.m.

Q. Under what column?

A. Under the "In" column, in the morning, initials "A.U." No other punches except the out punch at 4:05 p.m.

Q. And how many hours does it show? [2647]

A. Eight hours.

Q. Can you tell us why the in column, the first in column is in red pencil? A. I can't.

Q. To your knowledge, have there been other time cards of other employees where the entry as to the time punched in for commencing work was not actually punched by the time clock, but an entry either in pencil or pen was made?

(Testimony of Errol David Wilson.)

Trial Examiner: This particular card we are referring to shows week ending what?

Mr. Berke: The 23rd. I have identified [2645] that in the previous question.

Q. (By Mr. Berke): Go ahead.

A. It shows that she worked the week ending October 23, 40 hours.

Q. Does it show how much she was paid?

A. It shows that her gross earnings were \$40, and check No. 642 was issued in the amount of \$31.50.

Q. Does it show that she worked after that particular period of October 23, 1954?

A. It does.

Q. What is the last pay period entry on that particular payroll record?

A. The week ending December 11, 1954.

Q. Does it show how many hours she worked?

A. 43 hours.

Q. Does it show the amount she was paid?

A. Her gross earnings were \$43, and check No. 1763 was issued in the amount of \$33.91.

Q. Have you the payroll record of Edith Wasin?

A. Yes.

Q. Mr. Wilson, you handed me two time cards and a payroll record in the name of Edith Wasin; is that correct? A. Correct.

Q. Where did those come from?

A. From the accounting records and payroll records in the [2646] office of Sagu.

Q. And were those made in the manner that you

(Testimony of Errol David Wilson.)

previously described, the other payroll records and time cards? A. They were.

Q. And were those made under your direction and supervision? A. They were.

Q. And were they kept at the company under your custody and control? A. They were.

Q. And will you look at the time card for the pay period ending October 16, 1954? I have handed you such a card, have I not? A. Yes.

Q. How many entries appear on that card for that week?

A. Including the hours worked, three.

Q. I mean how many entries by day?

A. One.

Q. Will you tell us what it shows as to the date and the entries as to that particular date?

A. It shows she worked October 11, on Monday, written in in red, 6:57 a.m.

Q. Under what column?

A. Under the "In" column, in the morning, initials "A.U." No other punches except the out punch at 4:05 p.m.

Q. And how many hours does it show? [2647]

A. Eight hours.

Q. Can you tell us why the in column, the first in column is in red pencil? A. I can't.

Q. To your knowledge, have there been other time cards of other employees where the entry as to the time punched in for commencing work was not actually punched by the time clock, but an entry either in pencil or pen was made?

(Testimony of Errol David Wilson.)

work, or what was the last pay period that she worked?

A. The week ending December 11, 1954.

Q. And how much was she paid?

A. She worked 43 hours; her gross earnings were \$43 and check No. 1764 in the amount of \$40.81 was issued. [2654]

* * * * *

Q. (By Mr. Berke): Do you have the payroll record with you, Mr. Wilson, for Ruth Albertoni?

A. I have.

Q. You have handed me, with respect to Ruth Albertoni, a personal, personnel payroll record and time card for the pay period ending October 2, 1954, have you? A. I did.

Q. The time card shows at the top, in addition to the printed and typewritten information in ink, does it not, 9-27, and below that, "quit"?

A. It does.

Q. During that pay period, is there an entry for more than one day on that card?

A. There is not.

Q. What is the entry that appears thereon, will you tell us what day?

A. September 27, Monday.

Q. Go ahead and describe it.

A. "Reported in for work". It is written in pencil, "4:00 p.m.," initialed "H".

Q. In the left-hand column? [2659]

A. Yes.

Q. What else?

(Testimony of Errol David Wilson.)

A. Checked back from meal period at 8:14 p.m.

Q. Is that the time clock punch?

A. That is the time clock punch, and time clock punch completion of shift on Tuesday, at 12:33 a.m.; worked eight hours.

Q. How many hours were worked all that week, according to that time card?

A. Eight hours.

Q. Is some of the information that appears on that time card on the payroll record of Ruth Albertoni?

A. The personnel payroll record shows that she worked eight hours for the week ending October 2.

Q. And does it show how much she was paid?

A. She was paid \$8 gross pay, check No. 11068, in the amount of \$6.32, with the notation "mailed October 8".

Q. Are there any entries on the personnel payroll record after the period ending October 2, 1954?

A. With the exception of the totals of the quarter and the total for the year, there are none.

Q. Does the payroll record indicate the date when Ruth Albertoni was employed?

A. It does not.

Q. Does it indicate the date when her employment terminated? [2660]

A. September 27.

Q. Is the reason given? A. "Quit".

Q. Is this time card, to your knowledge, the last time card for Ruth Albertoni, in your records?

A. To the best of my knowledge it is, yes.

* * * * * [2661]

(Testimony of Errol David Wilson.)

Q. (By Mr. Berke): Mr. Wilson, when we recessed last evening, I think the last person I had asked about that time was about Ruth Albertoni. You are going to search the Company's records to see if you had any time cards after October 2. Did you do so? A. Yes.

Q. Did you make that search?

A. I searched last night. I could find no other record. [2666]

* * * * *

Q. (By Mr. Berke): Do you have the time card for the payroll period ending November 6 of Edna McCarl? A. I have.

Q. Now you previously testified with respect to Miss or Mrs. McCarl's payroll record and you previously testified with respect to what the time cards for the payroll period ending October 9 showed which I understand was—or strike “which I understand”—and also with respect to the time card for the 23rd, and as I recall it you also testified that there were no time cards between those two dates, is that correct?

A. To the best of my recollection, it is.

Q. I mean, you searched the record?

A. I searched the record. There is no other card.

Q. And that the payroll record shows no entries alongside Column 3 between the payroll period ending October 9 and the payroll period ending October 23; is that correct? A. It does, yes.

Q. Now the card you produced here this morn-

(Testimony of Errol David Wilson.)

ing is for the payroll period ending November 6, 1954; is that correct? A. Right.

Q. And will you tell us the date and the last entry with respect to that card?

A. Last entry is Saturday, November 6, shows that, the time [2668] clock punch in at 7:54 a.m., punch back returning from meal period at 12:27 p.m., punched out, end of shift evidently, or punched out at end of shift 4:32 p.m., worked eight hours that day.

Q. Now down at the bottom in the "Out" column, and below the heavy line which ends at "Week," appears to have been punched in "TU 431," then a pencil line drawn through that?

A. "TU" stands for Thursday—I mean Tuesday, correction, please—Tuesday, with a line would be p.m., 4:31.

If I might explain what happens once in a while on the time clock that we had there during that year: The card is inserted and there is a little lever that is pushed to punch the time. If the girl, or whoever is punching, holds this card in their hand it won't go all the way down and it might punch on the wrong line.

This indicates, in a case of that kind, the practice would be for the floor lady to scratch it out and they either re-punch or they O.K. the correct time.

Q. Now, how many hours did she work that last day, that Saturday?

A. Forty hours—Oh, the last one day, eight hours.

(Testimony of Errol David Wilson.)

Q. And how many hours does the card indicate she worked that week? A. Forty hours.

Q. Now some of that information that appears on that time card, does that show up on the payroll record of Edna McCarl that you have in your hand?

A. It does. The personnel record shows the week ending November 6, forty hours.

Q. Does it show how much she was paid for that week?

A. Gross pay, \$40.00; check No. 1000, in the amount of \$36.10, was issued for the net amount due.

Trial Examiner: Does it show the shift she is on?

Mr. Berke: Well that particular card doesn't. One of the cards shows she was on the day shift, the one ending October 9. I think it is pretty clear after October 15 they had only one shift.

Mr. Karasick: May I see this, please, again?

Trial Examiner: I don't know whether this is clear on the record from previous examination or not, but apparently the dollar rate that had been prevalent on the night shift continued for the day shift after October 15. Is that right?

All right, will you answer that, Mr. Wilson?

The Witness: Yes.

Q. (By Mr. Berke): Does this payroll record show the date when she was first employed?

A. No.

Q. Does it show the date when she was terminated? A. Yes. [2670]

(Testimony of Errol David Wilson.)

Q. What is the date on there?

A. October 8, 1954.

Q. And does it give the reason? A. Quit.

Mr. Karasick: Pardon me; which employee is this?

Mr. Berke: Edna McCarl.

Q. (By Mr. Berke): Now what is the first entry on the personnel payroll record that you have for Edna McCarl?

A. Week ending September 11, thirty-seven hours.

Q. And does it show the amount she was paid at that time?

A. Gross pay, \$35.15; check No. 10457 in the amount of \$28.30.

* * * * *

Q. (By Mr. Berke): Mr. Wilson, do you have a payroll record there for a Marie Scheffler, S-c-h-e-f-f-l-e-r? [2671] A. I have.

Mr. Karasick: Unless I am mistaken, my notes show there is no dispute on that employee.

Mr. Berke: There is no dispute. I am going to go into it for another purpose.

Mr. Karasick: Would you mind stating what the purpose is so I will be——

Mr. Berke: No. We want to show this record shows this employee was sick to indicate there are records when an employee is sick that shows that they are ill. That is the purpose.

Mr. Karasick: But, as I understand it, there is no contention on your part now that she was not

(Testimony of Errol David Wilson.)

an employee of the Company on October 14, 1954?

Mr. Berke: No, no such contention.

Mr. Karasick: I see.

Q. (By Mr. Berke): Now you have produced here the time card and personnel payroll record of Marie Scheffler. The time card is for the pay period ending August 21; is that correct?

A. That is correct.

Q. Is that the last time card that you had—
Strike that.

What does that time card show with respect to the time that she worked during that payroll period?

A. She worked on Tuesday, August 17, according to the clock at 6:52 a.m., Tuesday morning, punched back from her meal period at 12:01, p.m., punched out at the end of the shift at [2672] 4:05, p.m.; worked eight hours.

Q. Now this next entry is the last entry on that card, is it, with respect to the time when Marie Scheffler worked during that payroll period?

A. It is.

Q. What does that show?

A. Shows on Wednesday morning she punched in to go to work at 6:01, a.m.

Q. All right. Now how many hours does the card show she worked that week?

A. No time. Oh, during the week, ten hours.

Q. Is some of that information on the personnel payroll record of Marie Scheffler?

(Testimony of Errol David Wilson.)

A. Personnel record shows the week ending, payroll period August 21, ten hours.

Q. Does it show how much she was paid?

A. \$9.50 gross pay, check No. 9626 was issued in amount of \$9.22.

Q. Now the next entry on the payroll record in Column 10 shows period ending 9/4 and then nothing appears after that. Do you know what that is, can you explain that?

A. I don't know why that was put on there, but if I might express the practice, what happens once in a while?

Q. Go ahead.

A. The payroll clerk, in making up the payroll, will draw a [2673] sheet from the files and place it in position to make the entries. And then before writing any further they had instructions to check the name again, make a double check, and they might enter the date, which has happened, and then they notice the error and would pull the sheet out without erasing the date.

Q. Now when is there next on this card a complete entry of a period during which Mrs. Scheffler worked?

A. The next entry is for the week ending November 13, 1954.

Q. Does that show how many hours she worked that week?

A. Forty-eight hours.

Mr. Karasick: Pardon me. Would you read that answer, please?

(Answer read.)

(Testimony of Errol David Wilson.)

an employee of the Company on October 14, 1954?

Mr. Berke: No, no such contention.

Mr. Karasick: I see.

Q. (By Mr. Berke): Now you have produced here the time card and personnel payroll record of Marie Scheffler. The time card is for the pay period ending August 21; is that correct?

A. That is correct.

Q. Is that the last time card that you had—Strike that.

What does that time card show with respect to the time that she worked during that payroll period?

A. She worked on Tuesday, August 17, according to the clock at 6:52 a.m., Tuesday morning, punched back from her meal period at 12:01, p.m., punched out at the end of the shift at [2672] 4:05, p.m.; worked eight hours.

Q. Now this next entry is the last entry on that card, is it, with respect to the time when Marie Scheffler worked during that payroll period?

A. It is.

Q. What does that show?

A. Shows on Wednesday morning she punched in to go to work at 6:01, a.m.

Q. All right. Now how many hours does the card show she worked that week?

A. No time. Oh, during the week, ten hours.

Q. Is some of that information on the personnel payroll record of Marie Scheffler?

(Testimony of Errol David Wilson.)

A. Personnel record shows the week ending, payroll period August 21, ten hours.

Q. Does it show how much she was paid?

A. \$9.50 gross pay, check No. 9626 was issued in amount of \$9.22.

Q. Now the next entry on the payroll record in Column 10 shows period ending 9/4 and then nothing appears after that. Do you know what that is, can you explain that?

A. I don't know why that was put on there, but if I might express the practice, what happens once in a while?

Q. Go ahead.

A. The payroll clerk, in making up the payroll, will draw a [2673] sheet from the files and place it in position to make the entries. And then before writing any further they had instructions to check the name again, make a double check, and they might enter the date, which has happened, and then they notice the error and would pull the sheet out without erasing the date.

Q. Now when is there next on this card a complete entry of a period during which Mrs. Scheffler worked?

A. The next entry is for the week ending November 13, 1954.

Q. Does that show how many hours she worked that week?

A. Forty-eight hours.

Mr. Karasick: Pardon me. Would you read that answer, please?

(Answer read.)

(Testimony of Errol David Wilson.)

Q. (By Mr. Berke): Now does this payroll record show the date Marie Scheffler was employed by SAGU?

A. Shows the date employed July 16, 1954.

Q. Does it show anything on there that would indicate why there are no entries after August 21, except this one item, "9/4," until November 13?

A. After the space entitled, "Date Terminated," there is a notation in pencil, "Sick, comp." I might explain that "comp" is the term used for compensation insurance. [2674]

* * * * *

Mr. Berke: However, you are not contending that the eligibility date was the payroll period any other than the payroll period ending October 2, 1954?

Mr. Karasick: No, as stated in the Board's Direction of Election.

Q. (By Mr. Berke): Do you have the payroll record of Virginia Azevedo?

A. I have. [2676]

* * * * *

Q. Now the payroll record shows date employed October 11, 1954, does it not? A. It does.

Q. And it shows date terminated when?

A. October 15.

Q. And you have the time card here for the payroll period ending October 16, '54, for Mrs. Azevedo, have you? A. I have.

Q. What does that show with respect to the first day that she actually worked at SAGU?

(Testimony of Errol David Wilson.)

A. Tuesday, October 12, 1954.

Q. Now how many hours does it show she worked that day? A. Seven hours.

Q. And does it show how many hours she worked the next day after that? A. It does.

Q. How many? A. Eight hours.

Q. And the next day after that?

A. Eight hours.

Q. And then the last day in that week?

A. Eight hours and fifteen minutes.

Q. And what was the last day in the week that she worked? A. Friday, October 15.

Q. And what are the total number of hours she worked that week? [2677]

A. Thirty-one and one-quarter.

* * * * *

Q. (By Mr. Berke): Now, do you have the payroll record for Gatha Crump? A. Yes.

Q. Now does the payroll record for Gatha Crump show the date [2678] when she was employed? A. There is a date shown, yes.

Q. Now it shows, does it not, there is typewritten in after the date employed, "10/14/54"; is that correct? A. It was typed in, yes.

Q. Now over the "4" in "14," there has been put a "1" in pencil; is that right? A. Right.

Q. So that it now reads, "Date employed October 11, '54," is that right? A. Right.

Q. And date terminated, as shown on that card, is October 15; is that correct? A. Yes.

Q. Now you have here the time card for Gatha

(Testimony of Errol David Wilson.)

Crump for the payroll period ending October 16, 1954, do you not? A. I do.

Q. What is the first entry on that card with respect to date which she worked?

A. Shows that she punched in Monday morning, October 11, at 7:13, a.m.; she punched in returning from her meal period at 11:54, a.m.; punched out at the end of the shift at 4:02, p.m.; worked seven and three-quarter hours that day.

Q. Now does the card show that she worked throughout that week from that day? [2679]

A. She worked up to Friday night.

Q. What time did she punch out on Friday, October 15? A. 4:15, p.m.

Q. Now how many hours does it show she worked that week? A. Forty hours.

Q. And does some of that information appear on the payroll record of Gatha Crump?

A. Shows that she worked in the week ending October 16, forty hours.

Q. And shows the amount she was paid?

A. Her gross earnings were \$38.12; check No. 254 in the amount of \$30.08 was issued, with a notation on the record that the check was mailed to her.

Q. Now do you have the payroll record of Gail Herrell? A. Yes.

Q. You have handed me the personnel payroll record and time card of Gail Herrell, have you not?

A. Yes.

Q. What does the personnel payroll record show with respect to the date that Gail Herrell was employed?

(Testimony of Errol David Wilson.)

A. Date employed, October 13, 1954.

Q. And what does it show with respect to the date terminated? A. October 15.

Q. Will you look at the time card for Gail Herrell for the pay period ending October 16, 1954, and tell us what it shows with [2680] respect to the first day that she worked during that period?

A. Shows that she punched in for work on Tuesday morning, October 12, 1954, at 7:32, a.m. She punched in returning from her meal period at 11:53, a.m.; punched out at the end of the shift at 4:03, p.m.; worked seven and a half hours.

Q. And did she work for the balance of that week through Friday, October 15, 1954?

A. Yes.

Q. How many hours did she work, had she worked that week altogether?

A. Thirty-one and three-quarters hours.

Q. Now is some of that information on the personnel payroll record of Gail Herrell?

A. Yes. It shows that the payroll period week ending October 16 she worked thirty-one and three-quarters hours.

Q. And how much was she paid, does that show on there?

A. Gross earnings were \$30.28. Check No. 266 was issued in the amount of \$28.47, notation that the check was mailed.

Q. Do you have the payroll record for Amy Sweningson? A. I have.

Mr. Karasick: Same problem, isn't it?

(Testimony of Errol David Wilson.)

Mr. Berke: Yes.

Q. (By Mr. Berke): Mr. Wilson, you handed me the personnel payroll record and two time cards for Amy Sweningson, did you not? [2681]

A. I did.

Q. Now what does the personnel payroll record show for her as to date employed?

A. October 4, 1954.

Q. And what does it show for the date terminated? A. October 15.

Q. Will you look at the time card for the payroll period ending October 9, 1954, for Amy Sweningson and tell us what it shows with respect to the first day that she worked during that period?

A. The first time clock punch shows that she checked in at 7:21, a.m., Tuesday, October 5. She punched in returning from her meal period 11:53, a.m.; punched out at the end of the shift at 4:03, p.m.; worked seven and three-quarter hours.

Q. Now does that show that she worked the balance of that week?

A. Yes, she did. It does show that.

Q. And that also shows Saturday as a work day during that period, does it not? A. It does.

Q. And will you tell us what it shows with respect to Saturday?

A. She punched in in the morning at 6:53, a.m.; punched out at the end of the shift at 12:00 noon.

Q. How many hours?

A. Five hours. [2682]

* * * * *

(Testimony of Errol David Wilson.)

Q. (By Mr. Berke): Mr. Wilson, you have just handed me the payroll record and time cards for Rudolph O. Sweningson, have you? A. I have.

Q. What does the payroll record show with respect to the date that Mr. Sweningson was employed? A. October 4, 1954.

Q. And what does it show with respect to date of his termination? A. October 15.

Q. Now looking at the time card for the payroll period ending October 9, 1954, for him, what does it show with respect to the [2683] first day that he worked during that period?

A. Shows that he reported for work October 5, 1954, at 7:00, a.m. He punched out, or did not punch out, it is a pencil notation, "Out at 11:00 o'clock, a.m."; returned from his meal period at 11:49, a.m.; punched out the end of the shift at 4:00, p.m. Worked eight hours.

Q. Now the beginning time for him that date is in pencil, is it not? A. It is.

Q. And over in the lefthand column appears, "O.K." and some initial?

A. That is "S.S.," Steve Struempf.

Q. Now up on the very first line where the time punch could be entered there appears to have been something inserted in pencil and then erased; is that correct? A. That is correct.

Q. Tell us whether or not, looking at it, it is the same—Well, strike that.

Does it appear to have been in the far lefthand

(Testimony of Errol David Wilson.)

column, "O.K. S.S.," and then under "In," "7" in pencil, and under "Out," "11" in pencil?

A. It appears so.

Q. Now does Mr. Sweningson's card show that he worked five hours on Saturday, October 9?

A. Yes. [2684]

Q. And does it show a total of 37 hours for that payroll period? A. Yes.

Q. Is that information on his personnel payroll record?

A. It is. It shows for the payroll period ending October 9 he worked 37 hours.

Q. Now the time card for the pay period ending October 16 shows what date is the last day he worked?

A. Friday, October 15. [2685]

* * * * *

Q. (By Mr. Berke): All right, you have handed me the personnel payroll record of Marcia Freyling and two time cards, have you not?

A. I have.

Q. What does the personnel payroll record show with respect to the date that she was employed?

A. July 22, 1954.

Q. Does that payroll record contain entries for the payroll period ending July 24, 1954, to and including the payroll period ending November 20, 1954? A. It does.

Q. Now I note there is no entry for the payroll period ending October 2, 1954; is that correct?

A. That is correct. [2691]

(Testimony of Errol David Wilson.)

Q. So, with that exception, it contains entries from July 24 to and including November 20; is that correct? A. Right, correct.

Q. Looking at the payroll period ending October 16, 1954, does that show employment during that period?

A. October 16 shows she worked eight hours.

Q. And I show you a time card, and the top portion of which is in pencil, and it bears no date as to the pay ending period. Where did you take that card from, Mr. Wilson?

A. I don't remember.

Q. Is there a notation on this card with respect to Miss Freyling on the back?

A. (Reading) "School girl, Friday and Saturday."

Q. Now is there an entry that appears to have been made by time clock punching for Friday?

A. Friday shows that she checked in 3:54, p.m., reported back from her meal period at 8:23, p.m., checked out at 12:30, a.m.

Q. Worked how many hours?

A. Eight hours.

Q. And is that the total number of hours that appears on that time card? A. That is right.

Q. Now go to the payroll period ending October 23 on the personnel payroll record. What do the entries show with respect to the [2692] number of hours worked that week?

A. Shows October 23 she worked eight hours.

Q. Looking at her time card for the pay period

(Testimony of Errol David Wilson.)

ending October 23, 1954, is there an entry on that time card? A. There is.

Q. Will you tell us what it shows, please?

A. Shows that she checked in in the time clock Saturday morning, October 23, at 7:48, a.m.; returned from her meal period at 12:53, p.m., checked out at the end of the shift at 5:00 o'clock; worked eight hours.

Q. How many hours does it show she worked altogether during that period?

A. Eight hours.

Q. Is there a notation on the front of the card that says, "Over"? A. There is.

Q. And what does it say on the back?

A. (Reading) "School girl."

Q. Incidentally, going back to the previous time card, on the front of it is a notation that says, "Over"? A. There is.

Q. And then it contains on the back, "School girl, Friday and Saturday"; does it? A. Yes.

Q. Now what is the last entry on the personnel payroll record [2693] with respect to her employment?

A. Payroll period ending November 20, eight hours.

Q. Mr. Wilson, you have handed me the personnel payroll record and two time cards for Renee Napier. I notice that she is also referred to as "Rennie," R-e-n-n-i-e, Napier; is that correct?

A. Correct.

Q. What does the payroll record show with re-

(Testimony of Errol David Wilson.)

spect to the date that she was employed by the Company? A. October 1st, 1954.

Q. Now are there entries starting with the payroll period ending October 2, to and including the payroll period ending November 20, with the exception of the—No, strike that—no exception, is that correct? A. Right.

Q. I notice that on Line 6 there is the payroll period ending November 13. And then the next line 7 is blank. And Line 8 has entries for payroll period ending November 20. Is there some reason for the gap?

A. Only reason must be a clerical error.

Q. In what respect?

A. Inserting this payroll record sheet he must have lined it wrong.

Mr. Karasick: Well, in other words, I move to——

Mr. Berke: Is that critical, Mr. Karasick?

Mr. Karasick: I move to strike the witness' answer as being opinion and conclusion.

Trial Examiner: May I see it, please?

Q. ((By Mr. Berke): Does the next payroll period——

Trial Examiner: I think it is obvious, myself.

Mr. Berke: In view of Mr. Karasick's hyper supertechnical objection, I am going ahead.

Q. (By Mr. Berke): Is the next payroll period ending after November 13 the one ending November 20? A. It is.

Q. Does that appear on this record?

(Testimony of Errol David Wilson.)

A. It does. I wish to correct a prior statement I made saying that this shows continuous employment, the payroll record from October 2 to the week ending November 20. October 30 is not shown as a pay week ending October 30.

Q. Oh, yes. That is not on this record; is that right? A. Right.

Q. All right. With that exception, then, it shows employment entries from October 2 to the payroll period ending November 20; is that right?

A. It does, yes.

Q. Turning to the entries for the payroll period ending October 16, what does that show?

A. Shows the week ending October 16 she worked seven and three-quarters hours. [2695]

Q. And is there a payroll entry for the payroll period ending October 23, 1954?

A. There is. It shows that she worked seven and three-quarters hours.

Q. One of the time cards you handed me is for the payroll period ending October 16, is that correct? A. Correct.

Q. And there is just one day recorded on there as having been worked; is that correct?

A. That is correct.

Q. And what day is that and will you tell us what it indicates?

A. Time punched in Friday, October 15, 1954, 4:18, p.m.; returned from lunch period or meal period Friday, 8:24, p.m.; punched out at end of shift, 12:30, a.m.; worked seven and three-quarters hours.

(Testimony of Errol David Wilson.)

Q. 12:30, a.m., what day?

A. That would be Saturday, October 16.

Q. How many hours did she work altogether during that pay period?

A. Seven and three-quarters.

Q. Now looking at the other time card for the payroll period ending October 23, what does that show with respect to employment during that period?

A. Shows that she worked Saturday, October 23.

Q. All right. Now will you tell us what the entries are?

A. Punched in at 8:15, a.m., Saturday, October 23; returned [2696] from meal period 1:06, p.m.; punched out at 4:58, p.m.; worked seven and three-quarters hours.

Q. Now on the face of the card there is written in in pencil "Over"; is that correct?

A. There is.

Q. And on the reverse side appears in pencil, "School girl"; is that right?

A. Right.

Q. Now Mr. Wilson, you have handed me the personnel payroll record of Catherine Perry, have you not?

A. I have.

Q. What does that show with respect to the date that she was employed by the Company?

A. August 2, 1954.

Q. Now will you look at the record and tell us whether it shows entries for the payroll period ending August 7, through and including the payroll period ending December 11, 1954?

(Testimony of Errol David Wilson.)

A. It does.

Q. Looking at the entry for the payroll period ending October 16, 1954, does it show how many hours she worked during that week?

A. Forty hours.

Q. And does it show how much she was paid during that week?

A. Gross earnings, \$40.00; check No. 478 in the amount of \$13.50 was issued.

Q. \$13.50? [2697]

A. I beg your pardon, correction, \$31.58.

Q. Now will you look at the entry for the payroll period ending October 23. What does that show with respect to the number of hours worked?

A. Forty-eight hours.

Q. And does it show how much she was paid?

A. \$48.00; check No. 618 in the amount of \$37.86 was issued.

Q. Now going down to the last payroll period entry, December 11, 1954, does it show how many hours she worked then?

A. Forty-three hours.

Q. Does it show how much she was paid?

A. Forty-three gross earnings; Check No. 1743 in the amount of \$33.91 was issued. [2698]

* * * * *

Q. (By Mr. Berke): Do you have the payroll record here of Edith Wilson? A. I have.

Q. What does that show with respect to the date she was employed by the Company?

A. July 27, 1954.

(Testimony of Errol David Wilson.)

Q. Does it contain entries commencing with the payroll period ending July 31, 1954, to and including December 11, 1954? A. It does.

Q. Turning to the payroll period ending October 16, 1954, what does it show with respect to the number of hours that Edith Wilson worked that period? A. Forty.

Q. And how much was she paid?

A. Gross earnings, \$40.00; check No. 499 was issued in the amount of \$31.50.

Q. Now are there entries for the payroll period ending October 23, 1954? A. There are.

Q. How many hours did she work during that period? A. Forty-eight hours.

Q. And what does it show with respect to the amount she was paid for that period? [2699]

A. Gross earnings, \$48.00; check No. 645 was issued in the amount of \$37.86.

Q. Going down to the last entry, the one for the payroll period ending December 12, 1954, how many hours does it show she worked that period?

A. Payroll period ending December 11 is forty-three hours.

Q. And how much does it show she was paid?

A. Gross earnings, \$43.00; check No. 1765 was issued in the amount of \$33.91.

* * * * *

Q. (By Mr. Berke): You have handed me, Mr. Wilson, the personnel payroll record for an employee by the name of Erma Bate, have you?

A. I have.

(Testimony of Errol David Wilson.)

Q. What does it show with respect to the date she was employed by the Company?

A. July 19, 1954. [2700]

Q. And what does it show with respect to the last payroll period she worked in that year?

A. December 11, 1954.

Q. Turning to the payroll period entry for the period ending October 16, 1954, what does it show?

A. It shows period ending October 16, 1954, worked thirty-two and one-half hours.

Q. And how much was she paid during that period?

A. Gross earnings, \$32.50; check No. 391 issued in the amount of \$25.62.

Q. Now is there an entry for the payroll period ending October 23? A. There is.

Q. What does that show?

A. Period ending October 23, worked forty-eight hours.

Q. What was she—Does it show what she was paid?

A. Gross earnings, \$48.00; check No. 520 issued in the amount of \$37.86.

Q. Now what do the entries show for the last payroll period she worked, December 12, 1954?

A. Payroll period ending December 11, forty-one hours worked; gross earnings, \$41.00; check No. 1687 issued for \$32.27.

Q. I notice that during the payroll period ending October 16, as you testified, the number of hours was thirty-two and a half. That appears hereon; is

(Testimony of Errol David Wilson.)

that right? [2701] A. Right.

Q. For the payroll period ending December 4, 1954, the number of hours that appears thereon is also thirty-two and a half; is it not? A. Right.

* * * * *

Q. (By Mr. Berke): Mr. Wilson, you have handed me the personnel payroll record and three time cards for Mrs. Jessie W. Smith; is that correct? [2702] A. Yes.

Q. Now what does the payroll record show with respect to the date of her employment?

A. 9/13/54.

Q. Now there had been typed in "7" and then a blank space, and then "-54"; is that correct?

A. Right.

Q. And I note that the typed "7" is lined through, and "9/13" in pencil appears above it; is that correct? A. Yes.

Q. And what date of termination appears thereon? A. November 29, 1954.

Q. Now is there an entry for the payroll period ending October 16, 1954? A. There is.

Q. And what does that show with respect to the number of hours worked that week?

A. Period ending October 16, 1954, twenty-four hours.

Q. How much was paid her?

A. Gross pay, \$24.00; check No. 487 was issued in the amount of \$21.18.

Q. Now do you have the time card for that period? A. I do not.

(Testimony of Errol David Wilson.)

Q. Will you please produce that, then.

Now is there an entry for the payroll period ending October 23, 1954? [2703] A. There is.

Q. Does that show the number of hours worked for that payroll period?

A. Period ending October 23, twenty-four hours.

Q. Same number of hours as worked for the payroll period ending October 16? A. Yes.

Q. How much was paid Mrs. Smith for the payroll period ending October 23?

A. Gross pay, \$24.00; check No. 629 in the amount of \$21.58 was issued.

Q. Was the amount the same as was in the check issued for the payroll period ending October 16? A. Yes.

Q. Do you have the time card here for the payroll period ending October 23? A. Yes.

Q. And what does that show with respect to the first day worked?

A. Punched in Thursday, October 21, at 7:55, a.m.; she returned from her lunch period 12:27, p.m.; punched out at the end of the shift at 4:30, p.m.

Q. Worked how many hours?

A. Eight hours. [2704]

Q. Now what is the last entry for that payroll period? A. Saturday, October 23.

Q. Will you tell us what it says?

A. Punched in at 7:51, a.m.; returned from lunch or meal period 12:52, p.m.; punched out at the end of shift, 5:01, p.m.; worked eight hours.

(Testimony of Errol David Wilson.)

Q. How many hours all told does it show for that payroll period? A. Twenty-four hours.

Q. Now the last entry on the personnel payroll record is for the payroll period ending November 27, 1954; is that right? A. Yes.

Q. How many hours does it show she worked during that period? A. Twenty hours.

Q. How much was paid?

A. Gross earnings, \$20.00; check No. 1495 was issued in the amount of \$18.00.

Q. Now did you have the time card prepared for the payroll period ending November 27?

A. Yes.

Q. And what does that show with respect to the first day worked during that period?

A. Monday, November 22.

Q. What does it show?

A. Punched in at 7:54, a.m.; returned from meal [2705] period 12:25, p.m.; punched out at the end of the shift, 4:32, p.m.; worked eight hours.

Q. What is the last entry on that card with respect to the date and time worked that period?

A. Worked November 24, Wednesday, punched in at 7:53, a.m.; punched out at 12:03, p.m.; worked four hours.

Q. And how many hours does the card show she worked altogether during that period?

A. Twenty hours. [2706]

* * * * *

Q. (By Mr. Berke): Now you have handed me, Mr. Wilson, the personnel payroll record for Willy

(Testimony of Errol David Wilson.)

Augustin; is that correct? A. That is correct.

Q. What does that show with respect to the date he was employed by the Company?

A. July 23, 1954.

Q. And are there entries commencing with the payroll period ending July 24, 1954, to and including the payroll period ending December 11, 1954?

A. Yes.

Q. Now turning to the payroll period ending October 16, 1954, what does it show with respect to the number of hours he worked during that period?

A. Period ending October 16, 1954, forty-two and one-quarter hours.

Q. And how much was he paid?

A. Gross earnings, \$54.93; check No. 389 was issued in the amount of \$52.68.

Q. Now is there an entry for the payroll period ending October 23, 1954? A. There is.

Q. How many hours does it show he worked during that period? [2709]

A. Fifty and one-half hours.

Q. And what does it show he was paid?

A. \$65.65 gross earnings; check No. 518 was issued in the amount of \$61.18.

Q. Now the last entry is for the payroll period ending December 11, 1954; is that correct?

A. Correct.

Q. What does it show as to number of hours he worked during that payroll period?

A. Forty-five and one-quarter hours.

(Testimony of Errol David Wilson.)

Q. And what does it show he was paid?

A. Gross earnings, \$58.83; check No. 1685 was issued in the amount of \$55.76.

Q. Mr. Wilson, you have handed me the personnel payroll record of Joe Bertoni, have you?

A. I have.

Q. And does that show the date of employment as being September 28, 1954? A. It does.

Q. And are there entries commencing with the payroll period ending October 2, 1954, to and including the payroll period ending December 11, 1954? A. There are.

Q. Now turning to the payroll period ending October 16, 1954, how many hours does it show and what amount does it show was paid him? [2710]

A. Period ending October 16, 1954, forty-two and one-quarter hours; gross earnings, \$54.93; check No. 321 was issued in the amount of \$48.08, with notation that payment was stopped on that check and issued new check 1223, with an additional note, "Mailed check."

Q. Will you tell us what the entries show with respect to the payroll period ending October 23 as to the number of hours worked and the amount paid in that period?

A. Period ending October 23, forty hours, gross earnings \$52.00, check No. 523 issued in the amount of \$45.64.

Q. Now going down to the last entry for the payroll period ending December 11, 1954, tell us

(Testimony of Errol David Wilson.)

what the entry shows with respect to the hours and the amount paid?

A. Period ending December 11, 1954, forty-three and one-half hours, gross earnings \$56.55, check No. 1689 issued in the amount of \$49.25.

Q. Mr. Wilson, you have handed me the personnel payroll record and two time cards for Robert DeVilbis? A. I have.

Q. Does the payroll record show that he was employed on July 19, 1954? A. It does.

Q. And are there entries beginning with the payroll period ending July 24, 1954, to and including the payroll period ending November 6, 1954?

A. Yes. [2711]

Q. Turning to the payroll period ending October 16, 1954, does that show how many hours he worked that week?

A. Period ending October 16, 1954, worked nine hours.

Q. How much was he paid?

A. Gross earnings, \$12.60; check No. 417 was issued for \$9.95.

Q. Turning to the entry for the payroll period ending October 23, 1954, does it show how many hours he worked during that period?

A. Eight hours.

Q. What was he paid?

A. Gross earnings, \$11.20; check No. 550 was issued for \$8.85.

Q. Now how many hours is shown as having

(Testimony of Errol David Wilson.)

been worked on each of the following pay periods, namely, October 30 and November 6?

A. Eight hours each.

Q. Was he paid, according to the payroll record, the same amount as paid for the payroll period ending October 23? A. He was.

Q. Now I show you one of the time cards for Mr. DeVilbis for the pay period ending October 16, 1954. Is it correct that it contains entries only for one work day? A. That is right.

Q. Will you tell us what it shows, please?

A. Shows that he came to work Saturday, October 16, and this [2712] is written in in pen, 8:00, a.m. To the left of that there are initials, "S.A." He punched out for the lunch period at 12:23, p.m.; returned to work after the lunch period at 1:04, p.m.; punched out at the end of the shift 5:38, p.m.; worked nine hours.

Q. What does it show for the total number of hours worked during that period?

A. Nine hours.

Q. I show you time card for Mr. DeVilbis for the pay period ending October 23, 1954. Is it correct that it shows entries for just one work day?

A. That is right.

Q. Will you tell us what it shows, please?

A. It shows that he worked Saturday, October 23; punched in on the clock at 7:56, a.m.; punched out at the meal period 11:59, a.m.; punched back in at 12:55, p.m.; punched out at the end of the shift 5:01, p.m.; worked eight hours.

(Testimony of Errol David Wilson.)

Q. What were the total number of hours worked that period? A. Eight hours.

Q. There is what appears to be the letters, "J.A.," or "O"? A. "J.A."

Q. Who is that?

A. John Aguire uses that initial for—he is superintendent of the warehouse. [2713]

* * * * *

Q. Mr. Wilson, you have handed me the personnel payroll record of Lloyd Mills; is that correct? A. Yes.

Q. And does it show the date of employment as being October 11, 1954? A. It does.

Q. Now are there entries on that record commencing with the payroll period ending October 16, 1954, to and including the payroll period ending December 31, 1954? A. It does.

Q. Turning to the payroll period ending October 16, 1954, will you tell us the number of hours it shows and how much was paid?

A. Period ending October 16, 1954, forty-six hours; gross earnings, \$57.50; check No. 465 was issued in the amount of \$52.37.

Q. Now turning to the payroll period ending October 23, 1954, what does it show with respect to the hours and the amount paid Mr. Mills? [2715]

A. Period ending October 23, 1954, worked forty-seven and three-quarter hours; gross earnings were \$59.69; check No. 607 was issued in the amount of \$54.10.

Q. Now turning to the payroll period ending

(Testimony of Errol David Wilson.)

November 27, 1954, what does that show with respect to hours and amount paid?

A. Period ending November 27, 1954, hours worked, twenty-two and three-quarters; gross earnings, \$28.44; check No. 1475 was issued in the amount of \$27.59.

Q. Now for the payroll period ending December 18, what does that show?

A. Period ending December 18, 1954, worked forty-one hours; gross earnings, \$51.25; check No. 1819 issued in the amount of \$47.41.

Q. Now the last entry is for the payroll period ending December 31, 1954, as you testified. Will you please tell us what it shows with respect to the hours and pay?

A. Period ending December 31, 1954, worked forty hours; gross pay, \$50.00; check No. 1888 issued in the amount of \$46.30. [2716]

* * * * *

Q. (By Mr. Berke): Mr. Wilson, you have handed me the personnel payroll record and three time cards for Henry Narron, have you?

A. Yes.

Q. What does the record show with respect to the date of Mr. Narron's employment?

A. 7/8/54.

Q. Now written in in pencil is the word, "Retained"; do you know what that means?

A. I do not.

Q. Now what was the date terminated indicated thereon? A. November 6, 1954.

(Testimony of Errol David Wilson.)

Q. Now are there entries on this record commencing with the payroll period ending July 10, 1954, to and including the period ending November 6, 1954? A. There are.

Q. Now turning to the payroll period ending October 16, 1954, will you tell us what that shows with respect to the number of hours worked by Mr. Narron and the amount paid? Before you answer that, is it correct that there are two entries for the payroll period ending October 16?

A. There are.

Q. All right. Will you give us both of those, please?

A. On Line 3 of the personnel record, period ending October 16, 1954, forty-six and a half hours; gross earnings, \$60.45; check No. 327 issued in the amount of \$49.94. [2717]

Line 4, period ending October 16, twelve hours; gross earnings, \$12.00; check No. 469 issued in the amount of \$11.64.

Q. All right. Now will you look at the time card for October 16, 1954. There are two for that period, are there not, two time cards? A. There are.

Q. Now the first one has typing on the top and the pay period is stamped thereon; is that correct?

A. Correct.

Q. And what are the job numbers indicated on there? A. 7401 and 7402.

Q. Do you know what they, what jobs they indicate? A. I cannot remember now.

Q. Now what is the first entry on that particu-

(Testimony of Errol David Wilson.)

lar time card with respect to the time worked by Mr. Narron?

A. Shows that he punched in at 4:54, p.m., Monday, October 11; punched out for meal period at 9:31, p.m.; punched back in at 9:59, p.m.; punched out at the end of the shift Tuesday morning at 3:32, a.m.; worked ten hours.

Q. Now what is the last entry for a day worked during that period?

A. Friday, October 15; punched in at 4:56, p.m.; punched out for meal period 8:45, p.m.; returned from meal period 9:16, p.m.; punched out the end of the shift, Saturday, 2:21, a.m.; worked eight and three-quarter hours. [2718]

* * * * *

Q. (By Mr. Berke): Does the card indicate whether he worked day or night shift?

A. Night.

Q. And what are the total number of hours worked for that pay period ending October 16, 1954, according to the time card?

A. Forty-six and one-half hours.

Q. Will you look at this time card in pencil for the pay period ending October 16, 1954. Is it correct that it has in a circle the number of 8003?

A. Correct.

Q. Will you tell us what that stands for?

A. That would be the job number.

Q. Do you know what job that would be?

A. I don't remember. There are too many of them.

(Testimony of Errol David Wilson.)

Q. Well is it indicated on there, on the card itself, as to what his job was at that point?

A. Night watchman.

Q. And I note written on the face of the card, "\$1.00"; is that correct? A. Correct.

Q. What is the entry with respect to a day that was worked or [2719] the period that he worked as shown by that card?

A. Written in in pencil on the last line of the time time clock brackets, "Started at 7. Out at 5. 12 hours."

Q. And the total number of hours is indicated on that card? A. Twelve hours.

Q. Will you turn to the time card for the payroll period ending October 23, 1954, for Mr. Narron. That card appears in both pencil and ink, does it not? A. It does.

Q. Except for the printed portions; is that right? A. Right.

Q. Now is it correct that it contains on the face of it, "Night Watchman"? A. It does.

Q. And No. 8003? A. Right.

Q. What is the first entry on that card with respect to work by Mr. Narron during that period?

A. On the first line in the brackets where the clocks normally punch: "In at 7. Out at 5. 10 hours."

Q. And that is all in pencil?

A. That is in pencil.

Q. Now what is the last entry?

A. Last entry is in the last line in that block

(Testimony of Errol David Wilson.)

on the card written in pencil: "In at 7 a.m. Out at 4"—Beg your pardon, [2720] no "a.m." written. "In at 7. Out at 4. 9 hours."

Q. And that is in pencil, too?

A. That is in pencil.

Q. And what is the total number of hours indicated on the card for that period?

A. Fifty-six hours.

Q. Now the last entry appears to be for November 6, 1954; is that correct? A. Correct.

Q. Will you please tell us what it shows as to the hours and amounts paid?

A. Period ending November 6, 1954, 54 hours; gross earnings, \$54.00; check No. 1013 issued in the amount of \$44.88.

Q. By the way, does this payroll record contain information with respect to the payroll period ending October 23, 1954, that appears on the time card for that period that you just testified about?

A. Period ending October 23, 1954, 56 hours.

Q. What is the amount paid?

A. Gross earnings, \$56.00; check No. 611 issued in the amount of \$46.42. [2721]

* * * * *

Direct Examination—(Resumed)

Q. (By Mr. Berke): Mr. Wilson, during the noon recess you were to get the time cards for Erma Bate for the period ending October 16 and October 23. Have you got those? A. Yes.

Q. I show you, Mr. Wilson, one of the two time cards for Erma Bate. You have the one for the

(Testimony of Errol David Wilson.)

pay period ending October 16, 1954. That is both printed and — the information on there is both printed and typed at the top, is it not; except for a pencilled notation, "Went home ill"; is that correct? A. Correct.

Q. Now, what is the first work day entry on that card?

A. Monday, October 9—No, correction—October 11, 1954.

Q. Will you tell us what it shows?

A. Reported, checked in on the clock Monday afternoon at 3:59, p.m., reported back in from meal period at 8:58, p.m., checked out Tuesday morning, 12:56, a.m.; worked eight hours. [2731]

Q. What is the last entry on there?

A. Friday, October 15, punched in at 3:56, p.m. The next indication is a pencil notation with the initial "H" before it, 4:30.

Q. That also is in pencil?

A. That also is in pencil.

Q. And that appears in the "In" column?

A. Appears in the "In" column.

Q. And what is the time indicated for that day?

A. One-half hour.

Q. And what is the total number of hours worked that week? A. 32½.

Q. Now do you know whose initial "H" is?

Mr. Karasick: Well I object to that. A single letter is not an initial.

Q. (By Mr. Berke): All right. Do you know what the "H" stands for?

(Testimony of Errol David Wilson.)

A. "H" stands for Herrerias, the night floor-lady.

Q. All right. Now look at the time card for the pay period ending October 23, 1954. At the top is it correct that it is typed and printed and the date is stamped thereon? A. It is.

Q. By the way, on the time card for the pay period ending October 16, the date is also stamped on there, is it not, October 16? [2732]

A. It is.

Q. What is the first entry with respect to a work day on that card?

A. Monday, October 18, checked in 8:01, a.m., returned from meal period at 12:57, p.m., checked out at 5:00, p.m.; eight hours.

Q. Now on the next line there appears under—well, will you please read it?

A. The next line, Tuesday, checked in 7:54, a.m., returned from meal period, 12:26, p.m. Under the "Out" column the time clock reads 3:25, p.m., but through that "3:25" there is a pencil line and written after it is written in in pencil, "4:30."

Q. How many hours? A. Eight hours.

Q. Now what is the last entry on that card?

A. Saturday, October 23, 1954, checked in 7:51, a.m., returned from meal period 12:54, p.m., checked out at 4:54, p.m.; eight hours.

Q. What is the total number of hours indicated on the card for that pay period?

A. Forty-eight hours.

Q. Now have you got the time card for the pay

(Testimony of Errol David Wilson.)

period ending October 16 for Jessie Smith? That was Mrs. Jessie Smith? A. Yes.

Q. This card for Jessie Smith, Mrs. Jessie Smith, for the pay [2733] period ending 10/16/54 is written in pencil at the top except for the portions that are printed; is that correct?

A. That is correct.

Q. And the first entry for——

Mr. Karasick: Pardon me. May I have that last question and answer?

(Question and answer read.)

Mr. Karasick: Go ahead.

Q. (By Mr. Berke): Will you tell us what date and what entry appears thereon for the first work day shown on that card for that period?

A. First entry, Tuesday, October 12, checked in 3:56, p.m., returned from meal period 8:58, p.m., checked out at 1:01, a.m., Wednesday, eight hours worked.

Q. And what is the last day indicated on there as having been worked?

A. Thursday, October 14.

Q. Will you tell us what it shows?

A. Under the "In" column it has been stamped over and it is not very distinct. The "Thursday" is plain, but the time——

Q. The time can be either 4:01 or 3:54, is that correct, depending on which——

A. Could be.

Q. In any event, both figures, one is stamped over the other; is that right? [2734]

(Testimony of Errol David Wilson.)

A. That is right.

Q. What is the next entry?

A. Reported, checked back in from meal period 8:25, p.m., Thursday; checked out end of shift 12:31, a.m., Friday; eight hours' work.

Q. Now in the far lefthand column opposite the stamped over time appears a letter "H" in pencil. Do you know what that is?

A. It indicates the floorlady Herrerias okaying the stamped over time.

Q. And how many hours does the card show worked that week?

A. Twenty-four hours. [2735]

* * * * *

Q. Mr. Wilson, at my request did you check the Appendices to the Complaint in this hearing against the Company's payroll records to determine whether any of the people listed in the Appendices were people who did not return to complete or work the night shift on October 15, 1954? A. I did.

Q. I show you a document marked for [2737] identification as Respondent's 19 and ask you what that is.

(Thereupon the document above referred to was marked Respondent's Exhibit No. 19 for identification.)

A. That is a list of employees whose names appear in Appendix A of the Complaint who did not return to work on the night shift of October 15, following the meeting of those two shifts.

(Testimony of Errol David Wilson.)

Q. Where was the information that appears on Respondent's 19 taken from?

The Witness: May I ask you to put that question again?

Mr. Berke: Yes. Will you give him the question?

(Question read.)

A. From the payroll cards, payroll personnel records.

Q. (By Mr. Berke): From time cards?

A. Time cards.

Q. And are the time cards and the payroll personnel records for all the individuals listed thereon, some 29 individuals, here in the hearing room?

A. They are.

Q. Now opposite the names of the individuals listed on Respondent's 19 for identification are parentheses with figures in them. What do they represent?

A. The numerals in the parentheses indicate the numerical position which these names or persons appear either in the female or male list of Appendix A of the Complaint. Some of these individuals also appear in Appendix B of the Complaint. [2738] And there is a second parentheses there listing those appearing in B.

Mr. Berke: I offer Respondent's 19 in evidence.

Trial Examiner: Any objection?

Mr. Karasick: Objected to on the same grounds and for the same reasons as were advanced with respect to Respondent's Rejected Exhibit 18. [2739]

* * * * *

(Testimony of Errol David Wilson.)

Trial Examiner: Well, if there is an objection, I will have to sustain the objection. [2740]

* * * * *

Q. (By Mr. Berke): Mr. Wilson, I show you the time card for the pay period ending October 16, 1954, for Lyman Allman, which you handed me, and at the top there is a pencilled notation. What does that say? A. "Quit October 15."

Q. And going down to October 15 on the card, is there any entry for that day at all?

A. Punched out Friday, 1:28, but that was the completion of the Thursday shift.

Q. Which began at what time?

A. 4:00 o'clock Thursday, the 14th.

Q. Is there anything to indicate that he began or completed his shift on Friday? A. No.

Trial Examiner: He didn't even punch in then?

Mr. Berke: No.

Q. (By Mr. Berke): Turning to the time card of Richard Breuer for the pay period ending October 16, 1954, there is a pencilled [2742] notation at the top. What does that state?

A. "Quit 10/15."

Q. And going down to the October 15 entry on that card, what appears on there?

A. October 15, in the first "In" bracket it has been stamped over. The time appears to be checked in at 3:38, p.m., Friday. It is stamped over with 4:17. The "Out" time shown is Friday, 4:17, p.m. Time, one-half hour.

Mr. Karasick: May I see that? O.K.

(Testimony of Errol David Wilson.)

Q. (By Mr. Berke): I show you the time card for Virginia Brott for the pay period ending October 16, 1954. Is it correct that among other things at the top of that card are the words, "Quit October 15"?

A. There are words to that effect, correct.

Q. To that effect, or are the words as I read them?

A. I didn't answer properly. The words are there as you read them.

Q. Will you go down to the October 15 date on that card and tell us what it shows, please?

A. Checked in time clock 3:56, p.m., Friday.

Q. And is that all that is indicated by way of "In" and "Out" time for that day?

A. That is all there is indicated.

Q. What was the total time calculated as having been worked that day? [2743]

A. One-half hour.

Q. I show you the time card for Elizabeth Cooley for the pay period ending October 16, 1954.

Mr. Karasick: Pardon me. May I interrupt you again? You asked about the time calculated for working that day. You mean there is a pencil notation on the time card which shows that there was a half hour after a punch-in which shows only 3:56 and no punch-out? Is that right?

Mr. Berke: That is correct.

Q. (By Mr. Berke): Now with respect to Elizabeth Cooley's card for the pay period ending October 16, 1954, among other things at the top of the

(Testimony of Errol David Wilson.)

card appears the following: "Quit October 15," is that correct? A. Correct.

Q. Now will you go down to the date October 15 and tell us what appears in the card for that day?

A. Under the "In" column, rang in at 3:54, p.m.; under the "Out" column, 4:30, p.m.

Q. And how much time is indicated on there as having been worked or having been calculated?

A. One-half hour.

Q. Will you turn to the time card for Anna Hance for the pay period ending October 16, 1954. There is a word written in pencil at the top of the card which is what? A. "Quit." [2744]

Q. Will you look down to the October 15 entry on that card and tell us what it shows?

A. Rang in time clock 6:55, a.m. Checked out 10:57, a.m.

Q. What is the total number of hours that appears on the card for that day?

A. Four hours.

Q. And that is for the 15th, is it?

A. 15th is correct.

Q. Will you look at the time card for the pay period ending October 16, 1954, for Kathleen Hontar. At the top of the card there appears in pencil, "Quit October 15"; is that correct?

A. That is correct.

Q. Will you go down to the October 15 entry on that card and tell us what it shows, please?

A. Checked in 3:57, p.m. Checked out 4:32, p.m.

(Testimony of Errol David Wilson.)

Q. How much time is indicated on that card for that day? A. One-half hour.

* * * * *

Mr. Berke: Mr. Trial Examiner, you had indicated previously, and I overlooked your request, that you would like to have some information about Lyman Allman. And, before I go on further, I will ask Mr. Wilson about it. You wanted to know what shift he worked on. [2745]

Q. (By Mr. Berke): Is it correct his time card for the pay period ending October 16, 1954, indicates he worked the night shift?

A. That does.

Q. What was his job number? A. 7102.

Q. And what does that indicate as to the type of job he had, Mr. Wilson?

A. That was in the cannery along the preparation—receiving and preparation work. I don't know in particular which job that would be.

Trial Examiner: May I see it just a second? Do you mind if I ask one more question?

Q. (By Trial Examiner): Will you read to us, Mr. Wilson, the total number of hours for each of the weeks during his employment?

A. Period ending September 4, 1954, 21 hours.

Period ending September 11, 38 hours.

Period ending September 18, 37 hours.

Period ending September 25, 24 hours.

Period ending October 2, 41½ hours.

Period ending October 9, 33¾ hours.

Period ending October 16, 37½ hours.

(Testimony of Errol David Wilson.)

Trial Examiner: Thank you. [2746]

Q. (By Mr. Berke): Now, Mr. Wilson, will you look at the time card of Norma Morien for the pay period ending October 16. There is a pencilled notation on the top reading, "Quit October 15," is there not? A. There is.

Q. Will you turn to the October 15 date on that card and tell us what entries appear thereon?

A. Checked in 3:55, p.m.

Q. Is there any time punched out or clocked out? A. There is no time out.

Q. What is the next entry on that date?

A. One-half hour.

Q. And that is in pencil?

A. That is in pencil.

Q. Will you turn to the time card of Bernice Nunes for the pay period ending October 16, 1954, and looking at the top thereof, is there in pencil the words, "Quit October 15"? A. There is.

Q. Now going to that date on this card, will you tell us what the entries are?

A. Checked in 3:59, p.m. And that is the only time clock entry. One-half hour.

Q. And that one-half hour is in pencil?

A. In pencil.

Q. There is no time punched or clocked for "Out," is there? A. There is not. [2747]

Q. Now will you turn to the time card of Albert Rahm for the pay period ending October 16, 1954. Is it correct that among other things in pencil at the top appears "Quit 10/15"? A. There is.

(Testimony of Errol David Wilson.)

Q. Will you go to the entries for that date on the card and tell us what they show?

A. Checked in time, 4:50. There is some kind of mark over; it isn't distinct; it doesn't look like it has been stamped over, but it is time clocked 4:50. Under the first column, checked in, Friday, that is the 15th of October, 4:56. Checked out 5:31. Stamped over—that is 5:31, p.m.—Stamped over the portion of the first column is the Friday, the "Fr" is not entirely distinct.

Q. It got over into the "In" column?

A. Into the "In" column.

Q. On top of the "56," the "56" in the 4:56, in the end column? A. That is correct.

Q. What is the other entry on the card there for that date? A. In pencil, one-half hour.

Q. Will you look at the time card for the pay period ending October 16, 1954, for Evelyn Schrum. Is it correct at the top in pencil appear the words, "Quit October 15"? A. They do.

Q. Will you go down to the date on that card and tell us what [2748] the entries are for that date?

A. October 15, Friday, checked in 3:54, p.m. There is no other time clock entry showing any time checked out. In pencil, one-half hour.

* * * * *

Q. (By Trial Examiner): With respect to Albert Rahm, there are some initials apparently okaying a mistake or deviation from the time card that

(Testimony of Errol David Wilson.)

you had a minute ago. Can you state for the record whose name that would represent?

A. Charles Williams.

Q. Night Foreman?

A. Night Foreman of the cannery.

Q. And that correction was for what date?

A. 10th.

Q. October 10th?

A. Let me correct that—Let's see—12th, Tuesday the 12th.

Q. 11th, wouldn't that be? [2749]

Mr. Berke: No. Tuesday, October 12.

Trial Examiner: I thought you said 12. I asked for correction.

Should be 12.

The Witness: 12.

Trial Examiner: October 12, 1954.

The Witness: Tuesday, the 12th.

Q. (By Mr. Berke): Mr. Wilson, did you check the Appendices to the Complaint against the payroll records of the Company for the purpose of determining which individuals who appear in the Appendices were individuals that had worked on the night shift and were laid off on October 15, 1954, but completed their shift on that day?

A. I did.

Q. And have you the records here, the time cards and the personnel payroll records of such individuals?

A. I have.

Mr. Berke: Let the record show that I have

(Testimony of Errol David Wilson.)

handed those to Counsel for the General Counsel, as I have the previous payroll records.

Trial Examiner: Off the record.

(Discussion off the record.)

Trial Examiner: On the record.

Q. (By Mr. Berke): Mr. Wilson, you handed me the time card and personnel payroll record for Ethel Blair, did you not? A. Yes. [2750]

Q. Now her personnel payroll record shows that she was employed on July 22, 1954; is that correct?

A. It does.

Q. Her employment terminated with the Company on October 15; is that correct?

A. Correct.

Mr. Karasick: Well now, her personnel card contains a notation in ink with the date of termination 10/15; is that what you are saying?

Mr. Berke: Yes, that is what I am saying. What is wrong?

Q. (By Mr. Berke): Now the personnel record has for the month of October three separate entries, does it not? A. It does.

Q. For the payroll period ending October 2, payroll period ending October 9, and payroll period ending October 16; is that correct?

A. It does.

Q. Looking at her time card, the payroll period ending October 16, 1954, is it correct that shows she worked on the night shift?

A. Yes, it does.

Q. And will you look at the entries for October

(Testimony of Errol David Wilson.)

15 on that card and tell us what they show, please?

A. Checked in Friday, October 15, 4:06, p.m.
Checked back from meal period, 8:23, p.m. Checked
out end of shift, Saturday, 1:36, a.m. [2751]

Q. And on the righthand side in pencil appears
the figure "9," is that correct? A. Correct.

Q. That stands for what?

A. The number of hours worked.

Q. That day? A. That day.

Q. How many hours had she worked that week?

A. 46½.

Q. Now does that information appear on her
personnel payroll record, and if so will you read it,
please?

A. Her personnel record, period ending October
16, 46½ hours.

Q. And will you read the amount that was paid?

A. Gross earnings, \$49.75; check No. 333 in the
amount of \$46.25 was issued. Notation on the record
that the check was mailed.

Q. And are there any further entries on the
personnel payroll record of Ethel Blair after the
payroll period ending October 16, 1954?

A. No other entries except the totals for the
quarter and the year at the bottom in pencil.

Q. You have handed me the personnel payroll
record and time card for Doris Browning; is that
correct? A. Correct. [2752]

Q. And the personnel payroll record shows date
employed July 20, 1954, does it? A. It does.

Q. Now typed after "Date Employed" is July

(Testimony of Errol David Wilson.)

9, 1954, and a pencil line appears through "9" and above it is written in pencil, "20." Is that correct?

A. Correct.

Q. And the date terminated appears in ink as 10/15; is that correct? A. It does.

Q. Now for the month of October on the personnel payroll record there appear three entries, do there not, covering the payroll period ending October 2, October 9, and October 16; is that correct?

A. That is correct.

Q. Turning to the time card for Doris Browning for the period ending October 16, 1954, that indicates she worked on the night shift, does it not?

A. It does.

Q. And will you turn to the entries for October 15 on that card and tell us what they show?

A. October 15, Friday, checked in 3:56, p.m., returned from meal period 8:26, p.m., checked out at end of shift, Saturday, 12:32, a.m., and worked eight hours. [2753]

Q. And what are the total number of hours as indicated on the card she worked for that period?

A. Forty hours.

Q. Are there any entries on the personnel payroll record of Doris Browning after October 16, that is after the period ending October 16, 1954?

A. There are no entries except the totals for the year and the quarter.

Q. Which appear at the bottom?

A. Bottom of the page.

Q. Now you have handed me the payroll per-

(Testimony of Errol David Wilson.)

sonnel record—or strike that—the personnel payroll record and the time card for Helene Edwards; is that correct? A. That is correct.

Q. Now on the payroll record, date employed is indicated as July 22, 1954; is that right?

A. That is correct.

Q. Date terminated contains a notation in ink, “10-15”; is that correct? A. Correct.

Q. Now on this same record there are three entries for the month of October covering the payroll periods ending October 2, October 9, October 16; is that correct? A. That is correct.

Q. Will you turn to the time card for Helene Edwards for the [2754] period ending October 16, 1954, and going to the entries for October 15 will you please tell us what they show?

A. Friday, October 15, the “In” punch has been stamped over. I can’t make it all out. Looks like 4:25. There is written in pencil immediately over that number “4,” indicating 4:00 o’clock. She punched in from the meal period at 8:30, p.m. Punched out at 1:36, a.m., Saturday morning. Worked nine hours.

Q. And what are the total number of hours indicated on the card for that period? A. 36¾.

Q. Going to Helene Edwards’ personnel payroll record, are there any entries for any period after the period ending October 16, 1954?

A. There are no entries after the week ending, the period ending October 16, 1954, except the total

(Testimony of Errol David Wilson.)

for the quarter and the year at the bottom of the page.

Q. Now you have handed me the personnel payroll record and time card for Nancy R. Mazzucchi; is that right? A. That is right.

Q. And is the date of employment indicated on there? A. Written in in pencil, 9/14/54.

Q. And is the date of termination indicated on there, date terminated contained?

A. Written in ink, October 15.

Q. Now is it correct that for the month of October, 1954, [2755] there are three entries for the pay periods ending October 2, October 9, and October 16? A. There are.

Q. Now going to the time card for Nancy Mazzucchi, is it correct that there is indicated on there that she worked the night shift? A. It is.

Q. Will you turn to the entries for October 15 on that card and tell us what they show?

A. Friday, October 15, checked in at 4:00, p.m.; checked in after meal period, 8:25, p.m.; checked out 12:35, a.m., Saturday morning, at end of shift; worked eight hours.

Q. And what was the total number of hours for that pay period as indicated on the time card?

A. Forty hours.

Q. Now are there any entries on the personnel payroll record for any payroll period after the period ending October 16, 1954?

A. There are no entries excepting the totals at the bottom of the page.

(Testimony of Errol David Wilson.)

Q. For the quarter and year?

A. For the quarter and year.

Q. Now you have handed me the personnel payroll record and time card of David Darden; is that correct?

A. That is correct.

Q. Looking at the personnel payroll record, what is the date [2756] indicated for date employed?

A. July 29, 1954.

Q. And what is the date for date terminated indicated thereon?

A. October 15.

Q. Now is it correct that the personnel payroll record contains three entries for the month of October for the payroll periods ending October 2, October 9, and October 16?

A. It is correct.

Q. Now turning to the time card for David Darden for the payroll period ending October 16, 1954, is it correct that it indicates thereon that he worked the night shift?

A. It does.

Q. Will you turn to the entries for October 15 and tell us what they show?

A. Friday, October 15, checked in 3:59, p.m.; checked out for meal period, 9:02, p.m.; returned from meal period, 9:13, p.m.; checked out at end of shift, 2:31, a.m., Saturday; hours 10 $\frac{1}{4}$.

Q. Now what does the time card indicate with respect to the total number of hours worked for that pay period?

A. 54-3/4ths.

Q. Turning again to the personnel payroll record, does it contain any entries for any payroll period after the payroll period ending October 16, 1954?

(Testimony of Errol David Wilson.)

A. It does not contain any entries except the totals for the quarter and the year at the bottom of the page. [2757]

Q. Now you have handed me the personnel payroll record and time card of Harry McCall; is that correct? A. That is correct.

Q. What does the personnel payroll record indicate as to date employed?

A. September 29, 1954.

Q. And what does it indicate as to date terminated? A. October 15.

Q. Now is it correct that the personnel payroll record contains three entries for the month of October for the payroll periods ending October 2, October 9, and October 16? A. It does.

Q. Turning to the time card for the pay period ending October 16, 1954, is it correct that Mr. McCall's time card indicates he worked the night shift?

A. It does.

Q. Now will you go to the October 15 entry on that card and tell us what it shows?

A. Friday, October 15, checked in four p.m.; checked in after meal period, 8:26, p.m.; checked out at end of shift, 1:19, a.m., Saturday; worked 8-3/4ths hours.

Q. What does the card show for the total number of hours worked that week? A. 42-3/4ths.

Q. Now looking again at the personnel payroll record, does that [2758] contain any entries for payroll periods after the payroll period ending October 16?

(Testimony of Errol David Wilson.)

A. It contains no entries except the total at the bottom of the page for the quarter.

Q. You have handed me the personnel payroll record and time card of Alvin Marra, is that correct?

A. That is correct.

Q. What does the personnel payroll record show with respect to when Mr. Marra was employed, date employed?

A. July 21, 1954.

Q. And what does it show with respect to date terminated?

A. October 15.

Q. Now is it correct that that record contains entries for the month of October covering the payroll periods ending October 2, October 9, and October 16?

A. It does.

Q. Looking at Mr. Marra's time card for the pay period ending October 16, 1954, does it indicate that he worked the night shift?

A. It does.

Q. Will you go to the October 15 entry and tell us what it shows?

A. In pencil is written in, in pencil under the "In," "12." And it is initialed by "C.R.W."

Q. Now, is that the same person you indicated before? [2759]

A. Charles Williams, the night foreman.

In ink, it is written in on the "Out" time, 11:00. That is initialed by "S.A."—I don't know whether that is an "A"; whether that is "A.A." or "A.H." I can't make it out.

Worked 10-3/4ths hours.

Q. That "11" appears in ink, does it?

A. It does.

(Testimony of Errol David Wilson.)

Q. And the initials "S.A." are also in ink?

A. Yes.

Q. And the 10-3/4ths hours are in ink; is that right?

A. Right.

Q. What is the total number of hours indicated on the card for that pay period?

A. 38-3/4ths hours.

Q. Looking again at the personnel payroll record of Mr. Marra, are there any entries there for the payroll periods after the period ending October 16?

A. There are no entries except the totals on the bottom of the page for the quarter and the year.

* * * * *

Q. (By Mr. Berke): Where the pencilled notation in the "In" column for October 15 on Mr. Marra's time card indicates "12," is that your understanding that is 12 midnight?

A. Correct.

Q. Pardon?

A. It does.

Q. And "SA" in the column to the left of the numeral indicating 11:00 o'clock, what do they stand for?

A. Saturday.

Q. That indicates that he punched out on Saturday at 11:00 o'clock, does it?

A. Yes. 11:00 in the morning.

Q. Now you have handed me the personnel payroll record and time card for Charles Pozzi; is that correct?

A. Correct.

Q. Is it correct that the personnel payroll record indicates date employed 9-27-54?

A. It does.

(Testimony of Errol David Wilson.)

Q. And date terminated 10-15? A. It does.

Q. And is it also correct that that record contains entries [2761] for the payroll periods in the month of October ending October 2, October 9, and October 16? A. It does.

Q. Looking at Mr. Pozzi's time card for the payroll period ending October 16, 1954, is it correct that it contains the notation that he worked on the night shift? A. It does.

Q. Will you turn to the October 15 entries on that card and tell us what they show?

A. Friday, October 15, checked in at 3:55, p.m. The next column "Out" in pencil is written one-half. The out time at the end of shift, Saturday, 1:38, a.m. Worked $9\frac{1}{4}$ hours.

Q. And does it show the total number of hours worked by Mr. Pozzi for that period?

A. 46-3/4ths.

Q. Do you know what that one-half that is in pencil stands for?

A. It was a practice on a few employees whose time might vary and conditions might be such they couldn't go off at the regular shift, took their time, and were allowed a half hour. And that indicates a half hour to be deducted for the lunch period or meal period.

Q. Going back to Mr. Pozzi's personnel payroll record, are there any entries thereon for payroll periods after the payroll period ending October 16?

A. There are none, except the total at the bottom of the page.

(Testimony of Errol David Wilson.)

Q. Now you have handed me the payroll record and time card for Gerald Rogers; is that correct?

A. That is correct.

Q. And is it correct that the payroll record indicates date employed 9-29-54? A. It does.

Q. And date terminated is indicated in ink, 10-15? A. It does.

Q. Is it also correct that the payroll record contains entries for payroll periods in October, 1954, ending on October 2, October 9, and October 16?

A. It does.

Q. Now turning to Mr. Rogers' time card for the pay period ending October 16, 1954, is it correct that it indicates he worked the night shift?

A. It does.

Q. Will you go to the entries for October 15 and tell us what they show?

A. Friday, October 15, checked in 4:00, p.m.; checked in after meal period 8:26, p.m.; checked out at end of shift, Saturday, 1:19, a.m.; worked 8-3/4ths hours.

Q. Incidentally, how is Saturday indicated on there; it is punched on there, is it not, by the clock?

A. It is punched on by the clock, the symbol, "SA." [2763]

Q. Now what are the total number of hours indicated on the time card worked on that period by Mr. Rogers? A. 42-3/4ths.

Q. And looking at the personnel payroll record again for Mr. Rogers, is it correct that there are

(Testimony of Errol David Wilson.)

no entries for payroll periods after the payroll period ending October 16, 1954?

A. That is correct. There are no entries except the total at the bottom of the page. [2764]

* * * * *

Q. (By Mr. Berke): Mr. Wilson, have you the personnel payroll record and the time cards for the payroll period ending [2769] October 16 and October 23 for Oma Bridges? A. I have.

Q. Now is it correct that the personnel payroll record shows she was employed in July, '54?

A. July 28, '54; it does.

Q. Mr. Wilson, is it correct that the personnel payroll record of Oma Bridges shows employment during the payroll period ending October 16, 1954?

A. It does.

Q. And it shows the time worked 40 $\frac{1}{4}$ hours?

A. It does.

Q. And will you tell us what it shows as to amount of wages paid?

A. Period ending October 16, 1954, worked 40 $\frac{1}{4}$ hours; gross pay, \$38.36; check No. 377 in the amount of \$34.91 was issued. And there is a notation, "mailed."

Q. Now looking at her time card for the pay period ending October 16, is it correct that it shows the last day worked October 15? A. It does.

Q. And how many hours for that day?

A. Eight and one-quarter hours.

Q. Now does the personnel payroll record for her also show employment during the payroll pe-

(Testimony of Errol David Wilson.)

riod ending October 23? A. It does. [2770]

Q. And will you tell us the number of hours and the wages paid as indicated there?

A. Period ending October 23, 1954, 32 hours, gross pay \$32.00; check No. 528 issued in the amount of \$29.84.

Q. Now looking at the time card for the pay period ending October 23 for Oma Bridges, what does that show with respect to the first day she worked in that period?

A. She checked in on Wednesday, the 20th, that is October 20, at 8:00, a.m. She returned from her meal period at 12:24, p.m. Checked out at end of shift 4:30, p.m. Worked eight hours.

Q. Now is her time recorded on that card for each of the succeeding days to and including Saturday, October 23? A. There are.

Q. And how many hours does it show she worked that pay period?

A. Thirty-two hours.

Q. Now does her personnel payroll record show employment in the succeeding payroll periods to and including the payroll period ending December 11, 1954? A. It does. [2771]

* * * * *

Q. (By Mr. Berke): You have here the payroll record and time card for Marie Collins; is that correct? A. Correct.

Q. Is it correct that the personnel payroll record shows she was employed on September 28, '54?

A. It does.

(Testimony of Errol David Wilson.)

Q. Turning again to the personnel payroll record for her, does it contain an entry showing employment during the payroll period ending October 16, 1954? A. It does.

Q. Does it contain entries showing employment during the payroll period ending October 23, 1954?

A. It does.

Q. Now will you tell us what both those entries show with respect to number of hours worked and wages paid?

A. Period ending October 16, 1954, worked $40\frac{1}{4}$ hours; gross pay \$38.36; check No. 253 in amount of \$34.91 issued. Notation, "Mailed check."

Period ending October 23, 1954, worked 32 hours; gross pay \$32.00; check No. 2984 — Correction, please — check No. 541 in the amount of \$29.84 issued.

Q. Now turning to the time card for the pay period ending October 16, 1954, for Marie Collins, is it correct that it shows the last date worked during that period was October 15, 1954?

A. It does.

Q. And does it show how many hours were worked that day? A. It does— $8\frac{1}{4}$.

Q. And how many hours altogether during that pay period does it show? A. $40\frac{1}{4}$.

Q. Turning to her time card for the pay period ending October 23, 1954, what is the date of the first entry showing employment [2773] during that period? A. October 20, 1954.

Q. Now going again to Marie Collins' person-

(Testimony of Errol David Wilson.)

nel payroll record, does it show continuous employment from and after the pay period ending October 23, 1954, to and including the payroll period ending December 11, 1954? A. It does. [2774]

* * * * *

Q. (By Mr. Berke): Have you got the personnel payroll record and time cards for Pastoria Hall? A. Yes.

Q. Is it correct that her personnel payroll record shows date of employment July 26, 1954?

A. It does.

Q. Mr. Wilson, as you have testified, the personnel payroll record shows date employed July 26, 1954; is that correct?

A. That is correct.

Q. Now looking on the payroll record, is it correct that the first entry is for the payroll period ending July 24, 1954? A. It is.

Q. Showing 33½ hours worked during that payroll period; correct? A. It is.

Q. Now does this payroll record contain an entry showing employment during the period ending October 16, 1954? A. It does.

Q. And how many hours are indicated on there for that period? [2775]

A. Forty and a half.

Q. Does it also show entries for the payroll period ending October 23, 1954? A. It does.

Q. How many hours are indicated as having been worked during that period?

A. Forty-eight hours.

(Testimony of Errol David Wilson.)

Q. Will you read the amount of wages paid for each of those periods?

A. Period ending October 16, 1954, gross wages \$38.72; check No. 261 was issued in the amount of \$35.26. Notation that the check was mailed.

Period ending October 23, 1954, gross pay, \$48.00; check No. 573 was issued in the amount of \$42.46.

Q. Going to Pastoria Hall's time card for the pay period ending October 16, 1954, is it correct that it shows the last day worked during that period as being October 15, 1954? A. It does.

Q. How many hours worked on that day?

A. Eight and one-half hours.

Q. And total number of hours for that period?

A. Forty and one-half.

Q. Turning to the time card for the pay period ending October 23, 1954, for her, what does it show with respect to the first day of work during that period? [2776]

A. Shows that she worked Monday, October 18, 1954, eight hours.

Q. And the total number of hours worked during that period? A. Forty-eight hours.

Q. Now is it correct that the personnel payroll record for Pastoria Hall shows continuous employment after the pay period ending October 16, 1954, to and including the payroll period ending December 11, 1954? A. It does.

Q. Do you have the personnel payroll record for Anna Hance and the time card for the pay period ending October 16, 1954? A. I have.

(Testimony of Errol David Wilson.)

Q. Now there isn't any time card here for the payroll period ending October 30, is there?

A. No, there is not.

Q. Is that available?

Trial Examiner: You mean the 23rd or 30th?

Mr. Berke: No, the 30th.

Q. (By Mr. Berke): Is that available?

A. If it hasn't been clipped and lost.

Q. What you mean is you didn't previously clip it, take it out and clip it to the personnel payroll record? A. That I am not positive.

Q. Now is it correct that the personnel payroll record for Anna Hance shows date employed July 22, 1954? [2777]

A. It does.

Q. Does it also show employment during the payroll period ending October 16, 1954?

A. It does.

Q. And then is it correct that the fourth line in the column, immediately below the payroll period entries for October 16, 1954, is blank?

A. It is.

Q. And the next entry is on Line 5 for the payroll period ending October 30, 1954?

A. It is.

Q. Will you please tell us what the entries are for both those periods, October 16 and October 30?

A. Period ending October 16, 1954, 36 hours worked; gross pay \$34.20; check No. 238 issued in the amount of \$33.18, with the notation, "Check mailed."

(Testimony of Errol David Wilson.)

Period ending October 30, 1954, hours worked 8; gross pay \$8.00; check No. 796 in the amount of \$7.76 issued.

Q. Now turning to the time card for Anna Hance for the payroll period ending October 16, 1954, is it correct it shows the last day of employment thereon as October 15? A. It does.

Q. And how many hours does it show?

A. Four hours.

Q. And how many hours does it show all told in that period? [2778]

A. Thirty-six hours.

Q. Now there is a notation in pencil on the bottom, "Pd 10/15/54"; is that correct?

A. Correct.

Q. There is also a notation at the top, "Quit"; is that correct? A. Correct.

Q. In pencil. Now is it also correct that her personnel payroll record shows continuous employment starting with the payroll period ending October 30, 1954, to and including the payroll period ending December 11, 1954? A. It does.

Trial Examiner: When you say, "continuous employment," do you mean each day of the whole period, or do you mean each week?

Mr. Berke: No. Each pay period is what I am referring to.

* * * * *

Q. (By Mr. Berke): Do you have the payroll record here of Theresa Hofland? A. I have.

Q. Is it correct that it shows date employed

(Testimony of Errol David Wilson.)

9/13/54? A. It does.

Q. Do you also have the time card for Theresa Hofland for the [2779] pay periods ending October 16 and October 23, 1954? A. I have.

Q. Does the personnel payroll record for Theresa Hofland show employment during the payroll periods ending October 16, 1954, and the payroll period ending October 23, 1954? A. It does.

Q. Will you read what it shows with respect to hours and wages, please, for the periods?

A. Payroll period ending October 23,—Question, will you repeat his question to me?

(Question read.)

Mr. Berke: For those periods.

A. (Continuing) Period ending October 16, 1954, worked 40 hours; gross earnings, \$40.00; check No. 351 issued in the amount of \$32.70. Notation, "Mailed check."

Period ending October 23, 1954, worked 48 hours; gross pay \$48.00; check No. 582 in the amount of \$37.86 issued.

Q. Will you look at Theresa Hofland's time card for the pay period ending October 16, 1954, and tell us whether it is correct that it shows the last day worked during that period as being October 15, 1954? A. It does.

Q. And the number of hours worked that day? A. Eight hours.

Q. Total number of hours worked during that period as indicated [2780] on that card?

A. Forty hours.

(Testimony of Errol David Wilson.)

Q. Looking at her time card for the pay period ending October 23, 1954, what does it show with respect to the first day she worked during that period?

A. Shows that she checked in on October 16—Beg pardon—October 18, Monday, 8:00 o'clock. That is written in in pencil with initial to the left of it, "H".

She returned from her meal period per the time clock at 12:52 p.m.; checked out at the end of the shift at 5:01 p.m.; worked eight hours.

Q. How many hours does the card indicate she worked that pay period? A. Forty-eight hours.

Q. Now turning again to Theresa Hofland's personnel payroll record, is it correct that it shows continuous employment commencing with the pay period ending October 23, 1954, to and including the pay period ending December 11, 1954?

A. It does.

Trial Examiner: Will you read me that question?

(Question read.)

Q. (By Mr. Berke): Do you have the personnel payroll record and the time card for pay periods of October 16 and October 23 for Alice McCullough? A. I have. [2781]

Q. Is it correct that the personnel payroll records for her show date employed 9/28/54?

A. It does.

Q. Looking at Alice McCullough's personnel payroll record, is it correct there are entries show-

(Testimony of Errol David Wilson.)

ing that she worked during the payroll periods ending October 16, 1954, and October 23, 1954?

A. There are.

Q. Will you please read what the entries show with respect to those two periods?

A. Period ending October 16, 1954, worked 24 $\frac{1}{4}$ hours; gross earnings, \$23.16; check No. 276 issued in the amount of \$22.47; notation, "Mailed check."

October 23, the period ending October 23, 1954, worked 24 hours; gross pay, \$24.00; check No. 601 in the amount of \$23.28 issued.

Q. Now looking at her time card for the pay period ending October 16, 1954, is it correct that the last entry thereon is for October 15, 1954?

A. It is.

Q. And how many hours does it show worked that day?

A. Eight and one-quarter hours.

Q. How many hours does it show worked for that entire pay period? A. 24 $\frac{1}{4}$ hours.

Q. Is it correct that it indicates Thursday and Wednesday as not having been worked during that period? A. It so indicates.

Q. Turning to her time card for the pay period ending October 23, 1954, what does it show with respect to the first day she worked during that period?

A. Shows that she punched in Wednesday, October 20, at 8:00 a.m.; returned from lunch period

(Testimony of Errol David Wilson.)

12:26 p.m.; checked out at end of shift 4:30 p.m.; worked eight hours.

Q. And how many hours does it show she worked altogether during that period?

A. Twenty-four hours.

Q. Now is it correct that her personnel payroll record shows continuous employment from the pay period ending October 23, 1954, through and including the pay period ending December 11, 1954?

A. It does.

Q. Now the personnel payroll record contains a notation, does it not, in the column in which entries are made for the payroll period ending November 6, 1954, that check 1002 in the amount of \$23.28 was mailed to her on 11-10?

A. It carries that notation.

Q. Is it correct that the payroll record shows entries for the period ending December 4, 1954, that check No. 1522 in the amount of \$23.28 was mailed to her on 12/2? [2783] A. Right.

Q. Now have you the personnel payroll record and the time cards for the pay period ending October 16 and October 30, 1954, for Norma Morien?

A. I have.

Q. And is it correct that her personnel payroll record shows date employed 10/7/54?

A. It is.

* * * * *

Q. (By Mr. Berke): Now looking again at Norma Morien's payroll record, is it correct that it contains an entry for the payroll period ending

(Testimony of Errol David Wilson.)

October 16, 1954, and an entry for the payroll period ending October 30, 1954? A. It does.

Q. Is it correct that there is no entry for the payroll period ending October 23, 1954; and on Line 4 on the record—and that Line 4 on the record is blank? A. It is.

Q. Now will you read into the record what it shows with respect to the payroll periods ending October 16 and October 30?

A. Period ending October 16, 1954, 32½ hours; gross pay, \$32.50; check No. 358 in the amount of \$29.67 issued; the notation, "Mailed check." [2784]

Period ending October 30, 1954, worked 47 hours; gross pay, \$47.00; check No. 834 in the amount of \$37.74 issued.

Q. Now turning to her time card for the pay period ending October 16, 1954, is it correct that it shows the last day worked or time punched in as being October 15, 1954? A. It does.

Q. And how much time does it show worked for that particular day? A. One-half hour.

Q. And what is the total number of hours for that period as shown on the card? A. 32½.

Q. Turning to her time card for the pay period ending October 30, 1954, what does it show with respect to the first day worked during that period?

A. Shows that she checked in, reported in, checked in for work, Monday, October 25, at 7:55 a.m.; returned from meal period 12:50 p.m.; checked out at end of shift 5:02 p.m.; worked eight hours.

(Testimony of Errol David Wilson.)

Q. And total number of hours worked during that pay period as indicated on the card?

A. Forty-seven hours.

Q. Now looking again at her payroll record, is it correct that it shows entries for pay periods, or continuous employment commencing with the pay period ending October 30, to and [2785] including the pay period ending December 11, 1954?

A. It does.

Q. Now have you here the payroll record and time cards for the periods ending October 16 and October 23, 1954, for Etta Urton? A. I have.

Q. Is it correct that the payroll record shows date employed July 20, 1954? A. It does.

* * * * *

Q. (By Mr. Berke): Looking at Etta Urton's personnel payroll record, is it correct that it shows entries for the payroll period ending October 16, 1954, and October 23, 1954? A. It does.

Q. Will you please read what those entries are?

A. Period ending October 16, 1954, worked 32 $\frac{1}{4}$ hours; gross earnings, \$30.76; check No. 296 issued for \$26.73, with the [2786] notation, "Mailed check."

Payroll period ending October 23, 1954, worked 48 hours; gross pay \$48.00; check No. 640 in the amount of \$36.21 issued.

Q. Will you look at her time card for the pay period ending October 16, 1954, and is it correct that the last entry thereon is for October 15?

A. It is.

(Testimony of Errol David Wilson.)

Q. And the number of hours worked that day is indicated as being what?

A. Eight and one-quarter hours.

Q. Total number of hours worked that period?

A. 32 $\frac{1}{4}$ hours.

Q. Is it correct that for Thursday, October 14, there are no entries and that line is blank?

A. That is true.

Q. Will you look at her time card for the pay period ending October 23, 1954, and tell us what the entries show with respect to the first day of employment during that period?

A. Checked in Monday, October 18, 10:00 a.m.; checked in from meal period 12:56 p.m.; checked out at end of shift 5:06 p.m.; worked eight hours.

Q. Total number of hours worked during that period is indicated thereon as being what?

A. 48 hours.

Trial Examiner: May I see that a moment?

Q. (By Mr. Berke): Now is it correct that the payroll record shows continuous employment from the pay period ending October 23, to and including the pay period ending December 11, 1954?

A. It does.

* * * * *

Q. (By Mr. Berke): Do you have the payroll record and time [2788] card for the pay period ending October 16, and pay period ending October 23, 1954, of Stella Vessels? A. I have.

Q. Is it correct that it shows date of employment 9/17? A. It does.

* * * * *

(Testimony of Errol David Wilson.)

Q. (By Mr. Berke): Is it correct that her personnel payroll record shows entries for the payroll periods ending October 16 and October 23, 1954?

A. It does.

Q. Will you please read what those entries show?

A. Period ending October 16, 1954, worked 21 hours; gross pay, \$19.95; check No. 298 in the amount of \$15.85 issued; the notation, "Mailed check."

Period ending October 23, 1954, \$40.00—Correction, 40 hours; gross pay, \$40.00; check No. 642 in the amount of \$31.50 issued.

Q. Now looking at her time card for the pay period ending October 16, 1954, what does it show was the last day worked thereon?

A. October 13, Wednesday.

Q. And the total number of hours worked during that pay period? A. 21 hours. [2789]

Q. Now, turning to her time card for the pay period ending October 23, 1954, what does it show with respect to the first day worked during that period?

A. Checked in Tuesday, October 19, 7:53 a.m.; checked back from meal period 12:26 p.m.; time clock punched out at end of shift Tuesday, 3:32 p.m. That has a line drawn through it in pencil and following it is written in pencil, "4:30"; worked eight hours.

Q. Total number of hours worked during that payroll period is indicated on that card as being

(Testimony of Errol David Wilson.)

what? A. Forty hours.

Q. Now looking again at her personnel payroll record, is it correct that it shows continuous employment commencing with the payroll period ending October 23, to and including the payroll period ending December 11, 1954?

A. There is an accounting for each week during that period. On Line 7, the period ending is indicated as November 16.

Q. Number of hours worked in that period is indicated as being what?

A. 48 hours. There is no entry for the week ending November 13.

Q. When you say there is no——

A. (continuing) Which would indicate that there was an error in making the entry of the date or the period ending.

Q. And there are entries, are there, for the succeeding payroll [2790] periods to and including December 11, 1954? A. There are. [2791]

* * * * *

Q. (By Mr. Berke): We already have on the record some of the information that appears on the payroll record and the time card, Mr. Wilson, so I will ask you, looking at the personnel payroll record of Edyth Wasin, is it correct that it contains entries showing employment from the pay period ending October 23 continuously to and including December 11, 1954? In addition to showing employment for the payroll period ending October 16, 1954? A. It does. [2793]

* * * * *

(Testimony of Errol David Wilson.)

Q. (By Mr. Berke): Yesterday you testified, Mr. Wilson, with respect to the payroll record and time card of Marcia Freyling; do you remember that? A. Yes.

Q. And one of the time cards did not have a date, a pay period ending date on it. Have you since checked your records to determine from where you took that card?

A. From the payroll period ending October 16.
* * * * * [2794]

Q. (By Mr. Berke): Now, Mr. Wilson, with respect to Stella Vessels, her personnel payroll record showed on Line 7, you recall, a date for payroll period ending as being November 16; is that correct? A. That is correct.

Q. Now have you brought here the time card of Stella Vessels for the pay period ending after the pay period that ended on November the 6th?

A. I have.

Q. Now what date does the time card that you have just handed me bear for the pay ending period? A. November 13, 1954.

Q. And does that bear job No. 7101?

A. It does.

Q. And the name "Vessels, Stella" appears thereon? A. It does. [2795]

Q. And what day does it show for the beginning of employment during that pay period?

A. Monday, November 9.

Q. And——

(Testimony of Errol David Wilson.)

A. (Continuing) Beg pardon. That would be November 8.

Q. Monday, November 8? A. 8.

Q. What does it show for the last day worked during that pay period?

A. Saturday, November 13.

Q. And how many hours all told does it show she worked during that pay period?

A. 48 hours.

Q. And is that the same number of hours that appears on the personnel payroll record of Stella Vessels for the period recorded there on Line 7 as November 16, 1954? A. It does.

Q. Now you produced since the noon recess the time card of Anna Hance for the pay period ending October 30, 1954; have you? A. I have.

Q. Now you previously testified, Mr. Wilson, that Anna Hance's payroll records shows that she worked during the payroll period ending October 16, 1954, and that the next line on that record is blank, and that the succeeding line, Line 5, shows she worked during the pay period ending October 30, 1954, for a total of eight hours; is that correct?

A. Correct.

Q. Will you look at the time card for the pay period ending October 30, 1954, and tell us what it contains thereon as to the day worked within that period?

A. October 30, Saturday, punched in 7:58 a.m.; returned from meal period at 12:25 p.m.; punched out at end of shift 4:31 p.m.; worked eight hours.

(Testimony of Errol David Wilson.)

Q. And are there any other entries thereon as to days worked during that period?

A. There are none.

Q. And what is the total number of hours indicated on the card for that period? A. Eight.

* * * * * [2797]

Q. (By Mr. Berke): Mr. Wilson, do you recall a meeting of the employees that was held in the warehouse at the Company premises on Molino, October 15, 1954? A. I do.

Q. Do you recall an employee by the name of Gloria Pate? A. I do.

Q. Was there an incident that occurred with respect to Gloria Pate and yourself that day?

A. There was.

Q. And tell us whether it was before or during or after that meeting?

A. It was after the meeting. [2798]

* * * * *

Q. (By Mr. Berke): Was it immediately after that meeting, or was there some time that had elapsed after the meeting, as near as you recall?

A. It was very shortly after the meeting, maybe five, ten minutes.

Q. And where were you at the time?

A. In the areaway I'd say, approximately half way between the cannery and the warehouse where the meeting was being held.

Q. Was this a conversation or what was it between Gloria Pate and yourself?

A. Well,——

(Testimony of Errol David Wilson.)

Q. Was it a conversation or something else?
Just——

A. Guess I would call it a conversation. She came up and asked me a question.

Q. Was anyone else present besides you and Gloria Pate? A. No.

Q. Will you please tell us what was said and identify who was speaking?

A. A little girl came up, crippled girl came up to me immediately or shortly after the meeting and asked me why her name wasn't on the list to go to work next week.

And I told her that I knew nothing about the list or who was to be employed and that she would have to see Mr. Duckworth at the cannery. [2799]

Q. Was there any more said between you?

A. Nothing more said.

Q. Did she do anything after that?

A. She turned around and walked away, and I don't know where she went after that.

Q. Now did you know her name at the time she came up to you? A. I did not.

Q. Did you later learn her name?

A. Yes. I asked either the foreman or floor-lady right afterwards to, pointed her out and asked her who it was.

Q. You say you pointed her out and you were told—— A. Told her name was Gloria Pate.

* * * * * [2800]

Redirect Examination * * * * *

Q. (By Mr. Berke): Now, have you produced

(Testimony of Errol David Wilson.)

here at my request the time card for the pay period ending September 25, 1954, of Clarence Storey? A. I have.

(Thereupon the document above referred to was marked Respondent's Exhibit No. 21 for identification.) [2943]

* * * * *

Trial Examiner: O.K.

Respondent's Exhibit 21 is received in evidence, and permission is granted to withdraw the original and substitute photostatic copy.

I would like to request, however, that when you return the photostatic copy you return the original so we can make comparisons. I want to see whether or not the pencil notations show up.

Mr. Berke: I will be glad to do that.

(The document heretofore marked Respondent's Exhibit No. 21 for identification was received in evidence.) [2945]

* * * * *

Q. (By Trial Examiner): Now, you have brought in some of the payroll personnel records in response to a request by me, have you?

A. I have.

Trial Examiner: I might state at the outset that one reason I have asked for these is because the record does not indicate the last date worked by the employee, and an inference might be drawn that they were terminated on October 15, and there is reason to believe from other evidence in the

(Testimony of Errol David Wilson.)

record that they might have continued. So that is why I wanted to [2961] clear that up.

Q. (By Trial Examiner): The first one is Isabelle Ameral. First, will you tell me whether or not from looking at the record Isabelle Ameral worked on the night of October 15?

* * * * *

The Witness: She did not.

Q. (Trial Examiner): Excuse me. She was on the day shift. A. She was on the day shift.

Q. That is right. But she worked on the day shift? A. She worked on the day shift, yes.

Q. And what is the next date that she worked?

A. Monday, October 18.

Q. And did she also work on Tuesday, October 19? A. She did.

Q. I should say, "Do the records show that time was punched in for her?"

Mr. Berke: We will assume what you had reference to is what the time card shows, and he is answering from the time [2962] card, since he is holding them in his hand.

Q. (By Trial Examiner): Now, will you tell me whether or not employment continued through the season thereafter?

A. It continued on through the season, to the week ending December 11, 1954.

Q. Without interruption?

A. Without interruption.

Q. Now, will you go through the same routine with Beulah Cassidy?

(Testimony of Errol David Wilson.)

A. Beulah Cassiday worked October 15, 1954, on the night shift. She reported for work Monday morning, October 18; she worked——

Mr. Berke: The Trial Examiner said to go through the same routine. He asked about the 19th previously.

The Witness: She worked the 19th, I believe that was the only two days in the work you asked about.

Trial Examiner: That is all. And whether or not her employment was continuous thereafter.

The Witness: Her employment was continuous from the week ending October 23, 1954, through the week ending December 11, 1954. [2963]

* * * * *

Q. (By Trial Examiner): When I asked whether or not their employment was continuous, Mr. Wilson, I meant whether or not they worked each week during the balance of the season, even though some of the weeks might have been less than a full week.

When I finish with all of these, I am going to ask you to tell me for how many of these that I asked you about there appears on their personnel payroll record hours less than the full number for any given week. But I would like to do that all at once.

Will you do the same thing now with Connie Jones. Is that her correct name?

A. The name shown on the personnel payroll

(Testimony of Errol David Wilson.)

record is Cornelia Jones. Her time cards were made as Connie Jones.

She worked Friday, October 15, on the night shift; she reported back for work Monday, October 18; worked again Tuesday, October 19. The payroll record indicates she worked on through the week ending December 11, 1954, without interruption.

Q. Was there anything on the time card or personnel payroll record to indicate any termination of employment or re-hiring?

A. Nothing at all, Mr. Examiner.

Q. Now, will you tell me what the records show with respect to Barbara Mizell, M-i-z-e-l-l. [2964]

A. Barbara Mizell worked Wednesday, October 13, on the night shift, period for the payroll period ending October 16, 1954; worked one day that week—one night, rather.

Q. One night. Was she on the night shift?

A. She was on the night shift, yes.

Q. The records otherwise indicate her on the day shift. All right.

A. She returned to work Wednesday, October 20, and worked the shift, complete shift, on the day shift. She did not report for work on Monday or Tuesday.

The personnel payroll record shows that she had a pay period ending October 23 and again October 30, 1954, and that is the last entry shown on her record. [2965]

* * * * *

(Testimony of Errol David Wilson.)

Trial Examiner: Read them off. Start from the beginning.

The Witness: The period ending September 4, 1954, 37 hours.

September 11, 34½ hours;

September 18, 36½ hours;

September 25, 36 hours;

October 2, 36 hours;

October 9, 28¾ hours;

October 16, 8 hours;

October 23, 24 hours;

October 30, 31¾ hours.

* * * * *

Q. (By Trial Examiner): Will you state what the personnel payroll record and time card for Betty Monroe indicates?

A. The time card for the week ending October 16, for Betty [2966] Monroe, indicates that she punched in at 3:54 on Friday, October 15, and there is no other punch, indicating that she did not work out the shift. The time credited to her for that day—October 15—is one-half hour. The total for the week is 30½ hours, and the last entry on the personnel payroll record indicates 30½ hours worked for the week ending October 16.

Q. That states the date of her employment, too, doesn't it?

A. October 10, 1954, which evidently is an error in typing, because she actually worked—or had a payroll period on October 9, 21 hours.

Q. October 9 would be Saturday?

A. Yes.

(Testimony of Errol David Wilson.)

Q. For the payroll period——

A. Ending October, 9.

Q. So you say she must have been hired about the 6th?

A. It would have been approximately three days prior to October 9. [2967]

* * * * *

Q. I hand you the personnel payroll record, or sheet and time card, for Carl Loeffler and ask you to state what that indicates.

A. The time card for the pay period ending October 16, 1954, shows that he worked $4\frac{1}{4}$ hours the morning of Saturday, October 16. The time card for the pay period ending October 23, 1954, shows that he worked $2\frac{1}{4}$ hours Monday, October 18.

The personnel payroll record for the period ending October 23, 1954, shows $2\frac{1}{4}$ hours for that period, and that is the last entry on the record.

Q. There are notations on the time card for both the week of the 16th and the week of the 23rd, in pencil with "O.K. S.S." in the left-hand margin, and I believe you have already identified "S.S" as standing for Steve Struempf.

A. Steve Struempf.

Q. Will you read what is noted in pencil at the top of the card for October 23, and then I will ask you another question.

A. On the card for the period ending October 23, 1954, there is a pencil notation, "quit, 10/18/

(Testimony of Errol David Wilson.)

54." The "18" is written over something else; I can't make it out.

Q. And will you look at the personnel payroll record and tell me whether that indicates the date of termination of employment?

A. After "date terminated", at the head of the sheet, there is the date "10-18". [2971]

* * * * *

Q. I hand you the personnel payroll record sheet and time cards for Eugene E. Elmore, and ask you to state what they show with respect to whether or not he was credited with any time during the weeks of October 16 and 23?

A. I have no card here for either one of those weeks, and there is no entry on the personnel payroll record showing any earning for those two weeks.

Q. What does the personnel payroll record show with regard to the state of his employment before and after those periods?

A. By "state of employment" do you mean whether he was off at periods and—— [2972]

Q. Yes. Did he have time shown for him before and after?

A. Yes, he did—both before and after—quite erratic. He worked short weeks sometimes, wouldn't be there for two or three weeks at a time. He returned and worked 30 hours on the—during the period ending October 30, 1954, and that was the final entry on his record.

Q. He did not work after October 30?

(Testimony of Errol David Wilson.)

A. He did not.

* * * * *

Q. (By Trial Examiner): I hand you the personnel payroll record and time card for Sanda Loeffler, and ask you to state what that shows with regard to her employment record.

A. Sanda Loeffler's time card for the pay period ending October 2, 1954, shows that she worked Saturday, October 2, for five hours. [2973]

On the personnel payroll record, payroll period ending October 7, shows five hours for that week, and that is the last entry on the record.

Q. Did you say "7th" or "2nd"?

A. "2nd".

Q. Will you read what is shown on the personnel payroll record at the top with regard to "termination of employment" and "reason"?

A. Date terminated: 10/2; reason: quit.

Q. That is shown in type or ink or pencil?

A. The date and the word "quit" are shown in ink.

Q. I hand you the time cards and personnel payroll records for Rosette Reynolds, and ask you to state what that shows, with regard to the time put in by her during the week ending October 16, and 23, and thereafter, if any.

A. Rosette Reynolds' time card for pay period ending October 16, 1954, shows that she worked Friday, October 15, but did not work Saturday.

The time card for the same person for the period ending October 23, 1954, shows that she reported

(Testimony of Errol David Wilson.)

for work Monday, October 18, and worked five hours.

That is the entire time for that week—the period ending October 23, 1954.

The personnel payroll record shows for the period ending October 16, 1954, she worked 51½ hours, and for the period [2974] ending October 23, 1954, she worked five hours. [2975]

* * * * *

Redirect Examination * * * * *

Q. (By Mr. Berke): Mr. Wilson, I hold here the personnel payroll record and the time card for the pay period ending October 16, 1954, of Eleanor Bertozzi, B-e-r-t-o-z-z-i, which were taken from the records and files of the company, were they not?

A. They were.

Q. Now, at the top of this time card there is certain [3010] information which appears in pencil, does it not? A. It does.

Q. And among other things there appears thereon "October 15"; is that correct?

A. That is correct.

Q. Now, looking at the time card, is it correct that it shows that she worked four days during that period? A. It does.

Q. Starting with Monday and going through Thursday of that particular week; is that correct?

A. It is correct.

Q. Now, are there any entries for Friday, October 15, on that card?

(Testimony of Errol David Wilson.)

A. None, except the punchout time on Thursday, at the end of the shift.

Q. You mean Friday, 12:33? A. 12:33.

Q. A.M.? A. Yes.

Q. But for the shift beginning Friday—By the way, does the card show she worked night shift?

A. It does.

Q. For the shift beginning Friday evening, carrying over to Saturday morning, is there any entry at all? A. There is not. [3011]

Q. Now, what is the total number of hours shown on the card she worked that week?

A. 32 hours.

Q. And is it correct it does show she worked eight hours in each of the four days that appear thereon? A. It does.

Q. Now, looking at Eleanor Bertozzi's personnel payroll card, is it correct that it contains an entry for the pay period ending October 16, 1954?

A. Yes.

Q. And is it correct that it shows for that period 32 hours? A. It does.

Q. And what does it show with respect to the amount earned and paid?

A. Gross pay \$32; net pay \$25.14. Check No. 332, with the notation "mail check". [3012]

* * * * *

ALFRED W. COOK

a witness called by and on behalf of the Respondent, having been first duly sworn, was examined and testified as follows:

* * * * *

Direct Examination

Q. (By Mr. Berke): Mr. Cook, what is your occupation? [3017]

A. Supervising agriculture inspector for Sonoma County.

Q. And how long have you had that position?

A. As an agricultural inspector, since July 5, 1949.

Q. And as a supervising agriculture inspector for how long? A. Approximately three years.

Q. And do you have any people working under you—you supervise? A. Yes.

Q. And what are their job titles?

A. Season apple inspectors, primarily.

Q. And how many such people do you have under you?

A. From 10 to 15, depending on the crop.

Q. On what, sir?

A. Depending on the crop.

Q. Now, will you tell us what your duties are as supervising apple inspector—I am sorry—supervising agriculture inspector for Sonoma County?

A. As supervising apple inspector, supervising inspector as you might put it, are to oversee primarily the apple inspection previous to the time of the harvest, as making surveys, supervising the inspection of the detail during the apple packing

(Testimony of Alfred W. Cook.)

season, assembling records after the apple season is over.

Q. And do those duties take in the apples that are grown in the so-called Sebastopol area?

A. Yes. [3018]

Q. By the way, can you tell us what the Sebastopol area consist of? I mean in terms of mileage, or its width and length.

A. It would be rough.

Q. Well, approximately.

A. Roughly, 15 miles long and probably 12 miles wide.

Q. Now, the duties that you have described, were those your duties in 1954? A. Yes.

Q. Did those duties take you personally into the orchards last year?

A. Yes, in the line of issuing of permits for injurious spray materials, which is also included in my job. It is mandatory that I make surveys of the orchards to determine whether or not the poisonous materials can be used in that area.

Q. And can you tell us whether or not your duties last year took you into the apple packing plants?

A. Into all of the apple packing plants.

Q. Now, you say "all of the apple packing plants." Do you mean all of them in the Sebastopol area, or is it broader than that?

A. All in Sonoma County.

Q. Where are there apple packing plants in Sonoma County in addition to the Sebastopol area?

(Testimony of Alfred W. Cook.)

A. In 1954 there was one in Geyserville and two in Healdsburg, besides all of the packing houses in the Sebastopol area, which range as far as Forestville, Grayton and Sebastopol and south of Sebastopol.

Q. What would be your purpose, or what was your purpose last year in inspecting the apples in the packing plants or sheds?

A. To determine whether or not they conformed to the State standards, as set up by the Agriculture Code.

Q. For what purpose? To conform with standards for what purpose?

A. For fresh consumption.

Q. Now, are you familiar with the Sebastopol Apple Growers Union? A. Yes.

Q. Were you familiar with that organization in 1954? A. Yes.

Q. Did you visit their packing plant in 1954?

A. Yes, daily.

Q. Sir? A. Daily.

Q. How much time would you spend there daily?

A. That would have to be an average. From two to four hours a day.

Q. Now, why would you be out at SAGU packing plant daily for [3020] that period of time?

A. To supervise my inspectors I had working under me; to check the grade, whether it complied or whether it didn't.

Q. Did you check the grade yourself when you were out there? A. With my inspectors.

(Testimony of Alfred W. Cook.)

Q. Now, will you tell us what the requirements are you have mentioned here, to check to determine whether they met requirements or standards? Will you tell us what those are?

A. The standards for fresh consumption as set up for 1954 and are, in 1955, as prescribed in the Agriculture Code as "California Fancy". Does that answer your question?

Q. Is that the standard?

A. That is right.

Q. Well what would you have to do to determine whether the standard is met?

A. You make a thorough inspection of a given amount of boxes, as prescribed by the State, of each lot; a thorough inspection of the entire box.

Q. Now, how do you inspect it? What do you look for when you inspect it?

A. You look for the defects that are listed in the law.

Q. Such as what?

A. Such as worm damage; worms; water core; Baldwin spot; Jonathan spot; sunburn; sprayburn; limb rub; scab. There are numerous ones mentioned in the Code, but—bruises. [3021]

* * * * *

Q. (By Mr. Berke): Tell us whether or not you also look for bitter pit and russetting.

* * * * *

A. Definitely. I could give you—read you the list of the defects right out of the Code.

Q. (By Mr. Berke): Have you a copy of the

(Testimony of Alfred W. Cook.)

Code here? A. Yes, right here.

* * * * *

The Witness: Do you wish me to read them now?

Trial Examiner: Just the additional ones.

The Witness: I have them pretty well strewn around in here. I have already told you. [3022]

Decay; internal breakdown; broken skin; insect pests; sun scald; russeting; drouth spots; hail mark; frost injury; fly speck fungus; and other diseases.

Q. (By Mr. Berke): Now, while you were at the SAGU plant on your daily tour there last year, during the season of 1954, did you observe the condition of the apples that were at the packing plant at SAGU? A. Yes.

Q. Would you tell us what you observed?

A. It was an unusually hard season for grading out apples to make the Fancy grade, due to the fact of the extreme cull-out from sunburn or sun scald, cracking, a big percentage of the apples, even cracking them open.

* * * * *

Q. (By Mr. Berke): Mr. Cook, what do you mean by "cull-out"?

A. Percentagewise, a large percentage of the crop was affected [3023] from sunburn and sun scald that would not make the Fancy grade to the point that the machines had to be slowed down to give the help plenty of time to cull them out, or we would reject them.

* * * * *

(Testimony of Alfred W. Cook.)

Q. (By Mr. Berke): Now, when you refer to the machines had to slow down to give the help plenty of time to pick out the culls, what machines are you referring to—that is, whose are you referring to?

A. The entire apple industry's packing houses. All of them.

Q. Well, specifically confining yourself to SAGU, did you observe that as a fact at the SAGU operation last year? A. Yes, I did.

Q. Now, you have referred to sunburn and sun scald. What would cause apples to be sunburned or sun scalded?

A. Extreme heat in this case, which was incurred, as I [3024] remember it, the 19th and 20th of June, 1954; we had two extremely hot days at a very sensitive growing period of the apple crop.

Q. Now, when you talk about "at a very sensitive growing period of the apple crop", what do you mean by that?

A. The apple as being very tender and immature and not covered well by the leaves at that time, for protection.

Q. For protection from what?

A. From the sun.

Q. Now, on those two days, the 19th and 20th of June, did you visit the orchards, the apple orchards, that is, on those two days?

A. Many of them.

Q. And did you observe the effect that the sun was having on those two days upon the apples?

(Testimony of Alfred W. Cook.)

A. Yes, I did.

Q. And will you tell us what you saw, please?

Mr. Karasick: I object to that as being immaterial and irrelevant.

Trial Examiner: Overruled.

A. The exposed apples—the first indication from a sunburn is turning a brick red, and you could see what was happening to it. It was being burned from exposure—overheat.

Q. (By Mr. Berke): Well, describe the apples as you saw them on those two days. [3025]

* * * * *

A. The exposed portions of the apples that were exposed to the sun as turning to a brick red color. That is, the exposed apples that had no cover from foliage, from heat.

Q. (By Mr. Berke): And what, when an apple gets into that condition, what is it referred to under the standards that you have mentioned here?

A. Well, it is, to run for fresh consumption, it is referred to as a "cull".

Q. You have made reference a couple of times to percentage of culls, but have not stated the percentage. Do you know what the percentage of the apples in the Sebastopol area were culls last season?

* * * * *

A. I have no actual figures to say the exact percentage which went in for each defect of culls, but the estimate would [3026] be, on the basis of an overall estimate from the entire industry—

(Testimony of Alfred W. Cook.)

Q. All right.

A. ———which would be in excess of 50 per cent of the apple crop.

Q. Now, you made some reference here to some sort of report that is made up by the Sonoma County Department of Agriculture as part of your job.

A. That is right.

Q. What report is that?

A. That is the report that is required by the California Agricultural Code, that the Agricultural Commissioner of each county make an annual agricultural crop and acreage report, and evaluation report of the agricultural products grown within his county of which he has jurisdiction.

Q. And what happens to that report?

A. One copy must be mailed to the Director of Agriculture, also another copy to the Board of Supervisors, and also must be kept on record in the office, and any interested parties may pick that up by going into our office.

Q. Are those copies of those records made available to the public generally?

A. At any time.

* * * * * [3027]

Q. (By Mr. Berke): Mr. Cook, I show you a document marked Respondent's Exhibit 22 for identification, entitled "Agricultural Crop Report, 1954, Sonoma County Department of Agriculture"; is that the report you were referring to?

A. It is. [3028]

Q. And is this report, marked Respondent's Exhibit 22 for identification, available in the So-

(Testimony of Alfred W. Cook.)

Sonoma County Department of Agriculture office?

A. It is.

Q. And is it available to the public generally?

A. Yes, it is.

Q. And is this the report that you testified to previously that is furnished to the Board of Supervisors and the Director of the State Department of Agriculture?

A. It is.

Mr. Berke: I offer it in evidence. [3029]

* * * * *

Trial Examiner: I think I will receive it, for what it is worth.

(The document heretofore marked Respondent's Exhibit No. 22 for identification was received in evidence.)

* * * * *

Q. I show you a document marked Respondent's Exhibit 23 for identification, entitled "Sonoma County Department of Agriculture, Agricultural Crop Report, 1953," and I will ask you if you have seen this document before today?

A. The same ones we put out.

Q. Now, you say "same ones (you) put out". Does that come from the office of the Sonoma County Department of Agriculture? [3031]

A. Yes.

Q. That is the office in which you are employed?

A. Yes.

Q. And Mr. Wright, whose name appears on

(Testimony of Alfred W. Cook.)

the inside in connection with the letter addressed to the Board of Supervisors, and the Director of the State Department of Agriculture, is that the same Mr. Wright whose name appears in Respondent's Exhibit No. 22? A. Yes, it is.

Q. Now, there are figures in here with respect to apples. Did you have anything to do with the compilation of those figures?

A. The same as the one that followed that one.

Q. Do I understand that you gathered the figures from the various packers, and assisted in compiling, along with Mr. Wright, as you have described, with respect to Respondent's Exhibit No. 22? A. I did.

Mr. Berke: I offer Respondent's Exhibit No. 23 in evidence. [3032]

* * * * *

(Thereupon, the document above referred to was marked Respondent's Exhibit No. 23 for identification and was received in evidence.)

* * * * * [3033]

Trial Examiner: All right. I will receive Respondent's Exhibit 24 in evidence.

(Thereupon, the document above referred to was marked Respondent's Exhibit No. 24 for identification and was received in evidence.)

* * * * * [3034]

ELIZABETH PERRY

a witness called by and on behalf of the Respondent, being first duly sworn, was examined and testified as follows:

* * * * *

Direct Examination

Q. (By Mr. Berke): Mrs. Perry, are you employed at the present time? A. Yes, I am.

Q. By whom are you employed?

A. The Bank of Sonoma County.

Q. And where? A. In Sebastopol.

Q. And how long have you been employed by that bank?

A. I have been employed there since, I believe, July 14 of 1951.

Q. And prior to that time were you employed elsewhere?

A. No, sir. Not since I have gone to the bank.

Q. Prior—before that?

A. Prior to that time—prior to that time I was employed by the Sebastopol Co-op Cannery. [3063]

Q. Part of that time, or prior?

A. Prior to that time.

Q. When did you first go to work for the Sebastopol Co-op Cannery?

A. I believe it was in the early part of August, 1949.

Q. And when did you last work there?

A. I think shortly after the 4th of July, or prior—anyway, we took a trip, and as soon as we came back I went to the bank.

Trial Examiner: What year?

(Testimony of Elizabeth Perry.)

The Witness: 1951. I just had about 10 days, I believe, between the time I left the cannery and the time that I went to the bank. I think I had about 10 days.

Q. (By Mr. Berke): Did—do you know about what month that was that you went to the bank?

A. Well, July.

Q. 1951? A. '51.

Q. When you worked for the Sebastopol Co-op Cannery, what was your position?

A. Bookkeeper and general office manager. In other words, I was the only one. I was bookkeeper and everything.

Q. And will you tell us what your duties were at that time, as bookkeeper?

A. My duties at that time were to take care of the whole [3064] set of books, and I checked sales tags and, well, just everything that is done in a small office like that that has only one person in it. I made notes to the growers when they became due, and renewed the notes, and did all that, anything. Of course, in a co-operative, then, you have a secretary and treasurer who sign all things.

Q. Did you make entries of moneys received by the Sebastopol Co-op Cannery?

A. I did. I made deposits with the bank. I think they will show in my handwriting.

Q. Now, tell us whether or not, among the entries that you made of moneys received by the Sebastopol Co-op Cannery, were any sums received for membership in the Sebastopol Co-op Cannery?

(Testimony of Elizabeth Perry.)

A. Oh, yes. There is a membership fee of \$5.

Q. Now, I hold here in my hand what, Mrs. Perry?

A. Well, that looks like the old ledger that we used to have there.

Q. And where did you get this from?

A. I got that from Mrs. Sollars, who is now the bookkeeper at the Sebastopol Co-op Cannery.

Q. When?

A. I just picked up that—whatever time it takes to drive over here. I picked it up on my way.

Q. Mrs. Perry, I show you here this ledger that you have [3065] just mentioned.

A. That is my writing all the way down.

Q. Now, I notice here is a page that I have turned to, No. 21, "Record of Cash Received, Month of January, 1951." Does it so read at the top of that page? A. Right.

Q. And then looking at this entire page, which is in ink, except for typing on the heading and some pencil figures—— A. That is right——

Q. Are all those—that is, the handwriting—is that in your handwriting or whose?

A. No, that is all mine—pencil and everything.

Q. Including the pencil figures?

A. That is right.

Q. Now, going down the column that says "Net amount received,"—do you see such a column there?

A. I do.

Q. There is an item, is there, indicating \$5, and going down the column headed "Day"; is there such

(Testimony of Elizabeth Perry.)

a column? A. That is right: January 25.

Q. Now, the space for the day opposite the \$5 is blank, and about 1, 2, 3, 4 spaces above that appears "25" in that "Day" column; is that right?

A. That is right.

Q. Can you explain why that space opposite the \$5 is blank? [3066]

A. Well, I don't know that I can explain it. I mean, in bookkeeping we do that a lot—sometimes a check mark is made, and if you are in a hurry I don't know, do you have the date—and the next date shows "27"—that is common——

Trial Examiner: Let me explain at this point what the witness is doing: She is pointing out that all of the entries made from the time that the 25th was put down until the next date was shown were entries made on the same day.

Mr. Berke: Is that correct as the Trial Examiner stated? Is that the way?

The Witness: That is right.

Q. (By Mr. Berke): Then, what date would it appear that the \$5 was paid? A. On the 25th.

Q. What month? A. January, 1951.

Q. Now, going to the next column, which is headed "Received from"—is that correct, there is such a column? A. That is right.

Q. Following down that column and opposite the amount and date column, what appears in the "Received from" column?

A. In capitals, "SAGU," which we always used for Sebastopol Apple Growers Union.

(Testimony of Elizabeth Perry.)

Q. And then the next column is headed "Description," is it not? [3067] A. That is right.

Q. Now, going down that column opposite "SAGU," what appears in that description column?

A. "Membership fee."

Q. Now, there is another page to the right, is there not? A. Yes.

Q. To the right of the page I have just questioned you about? A. That is right.

Q. And is that also headed "Distribution of Cash Received"?

A. That is right. That is your distribution sheet.

Q. For the month of January, 1951?

A. 1951.

Q. Does it bear the same number, "21," as the sheet you have testified from?

A. That is right.

Q. Now, following across from the entry pertaining to SAGU, right across to this second sheet, there is a column headed "General Ledger—CR."; is that correct? A. That is right.

Q. And that column is further divided into two other columns, one headed "Acct." What does that stand for?

A. That is "on account"; moneys paid on account.

Q. All right. Now, following that column down to the point where "SAGU" appears—opposite "SAGU," what appears [3068] in the "Acct." column? A. \$400.

Q. And now,—strike that.

(Testimony of Elizabeth Perry.)

Now, under "General Ledger—Credit," appears a column next to the "Acct." column, entitled "Amount"; is that right? A. That is right.

Q. And following that down to the same line where "SAGU" appears, what appears in the "Amount" column? A. \$5.00.

Q. What is that \$400?

A. The \$400 carried forward here (indicating) which was paid on account right up here. There is a thousand, and notes payable——

Q. Wait a minute. What are you pointing to?

A. The \$400. I have to look at this.

This \$400 appears down here again, because it was carried forward. When you balance, you keep bringing stuff down——

Trial Examiner: You mean it doesn't indicate payment by SAGU?

The Witness: No, you are carrying——

Q. (By Mr. Berke): It was the same, and I wanted to develop what the pages show.

Is the amount——

A. That goes with this (indicating). [3069]

Q. And you are pointing to the entry for SAGU membership fee; is that right?

A. Right on that dark line.

Q. And are all those entries with respect to SAGU in your handwriting, Mrs. Perry?

A. Yes. That is all my handwriting, all the way through. [3070]

* * * * *

Mr. Berke: I will call Mr. Duckworth.

LEONARD J. DUCKWORTH

a witness called by and on behalf of the Respondent, having been previously duly sworn, was examined and testified as follows:

* * * * *

Direct Examination

Q. (By Mr. Berke): Mr. Duckworth, you have previously identified yourself as being the cannery superintendent for SAGU, have you not?

A. Yes.

Q. Now, do you recall the meeting that was held in the afternoon of October 15, at the warehouse, of the employees concerning a layoff?

A. Yes, I do. [3080]

Q. Now, who informed you that there was going to be such a meeting? A. Mr. McGuire.

Q. And when did he inform you about that?

A. That was either Thursday afternoon, or early Friday morning. I don't know exactly which time.

Q. Then upon getting such information, did you do anything?

A. Yes, I made a notice on the blackboard we have there in the plant, informed the employees there would be such a meeting held.

Q. And when did you put that notice up?

A. Oh, I imagine about 1:30 to 2:00 o'clock in the afternoon of that day.

Q. And did you attend that meeting?

A. Yes, I did.

Q. Were you there all of the time?

A. Not all of the time, no.

Q. Now, after the meeting, did all of the em-

(Testimony of Leonard J. Duckworth.)

employees who worked on the night shift return to that shift? A. No, they did not.

Q. Were the night shift employees informed at any time that they were to return to work on the night shift? A. Yes, they were. [3081]

* * * * *

Trial Examiner: Reframe the question.

Q. (By Mr. Berke): Was any effort made to notify the employees on that shift they were to return to work on that shift after the meeting?

A. Yes, there was. [3082]

Q. Was any effort made by you?

A. Yes, it was.

Q. In what way did you inform them?

A. Well, I informed those who I saw who came in; I also instructed the floorladies.

Q. Who?

A. Her name is Herrerias—Mrs. Herrerias; and also the night foreman, Charles Williams.

Q. Now, when did you inform Mrs. Herrerias and Mr. Williams?

A. Well, they came on shift about a half hour, usually, before the shift started, and I told them then that a meeting was to be held, to have all the people attend; also to inform the people who were to work on the night shift to be sure to return to work that night.

Q. And did you personally inform any of the night shift employees of that fact, that they were to return that night?

A. Yes, I did. The names I don't know. I mean,

(Testimony of Leonard J. Duckworth.)

as they came in, I caught whoever I could as they were coming in for the night shift, to be sure to go to the meeting and then to come back to work.

Q. Do you recall an employee by the name of Richard Breuer? A. Yes, I do.

Q. Did you have a conversation with him after the meeting? [3083]

* * * * *

Q. (By Mr. Berke): When, after this meeting, did you have this conversation with Mr. Breuer?

A. Well, when—we were packing the slices at the time and his job is to fill what we call the holding tank for the slices before they are vacuumed. He started to walk out the door.

Q. Started to walk—— [3084]

A. Out of the door of the cannery.

Q. When was this?

A. After the shift started again for the night shift, after the meeting was all over.

* * * * *

Q. (By Mr. Berke): Now, was anyone else present in this conversation between you and Mr. Breuer? A. No, not that I know of.

Q. What was his job at the time?

A. He filled the holding tanks for the sliced apples.

Q. And was he employed on the day or night shift? A. Employed on the night shift.

Q. Will you tell us the conversation, using the language that was used, as near as you can recollect?

(Testimony of Leonard J. Duckworth.)

A. Well, he was leaving his tank unattended, and he started to walk out the door. I asked him where he was going, and he said he was quitting, and I asked him, "Why?" and he said, "Well, if I am not going to work any more this year I may as well just quit right now." And he did.

Q. Is this the conversation? A. Yes.

Q. Now, Clarence Storey was one of the employees out there last year, was he not? [3085]

A. He was.

Q. What was his job?

A. He was dumping apples.

Q. Did you, during the course of the season, have occasion to talk with him about the performance of his job? A. Yes, I did.

Q. Did you talk with him more than once about it? A. Yes.

Q. About when was the first time?

A. I would say about two weeks after the season started.

Q. And about when did the season start last year?

A. I would say around the middle of July.

Q. And where were you at the time you talked with him? A. At the dumping station.

Q. Where is that?

A. That is on the south end of the cannery.

Q. Was there anyone else present besides you and Mr. Storey in the conversation?

A. Not in the conversation, no.

Q. Will you tell us what occurred at that time?

* * * * *

(Testimony of Leonard J. Duckworth.)

A. Well, on the first occasion, Clarence Storey was dumping [3086] the apples, we call it "too vigorously." He would throw them into the dumping station, rather than letting them go gently, and he was bruising the fruit by doing that. A couple of the Directors questioned me about it, so then I told Clarence Storey to please dump them more gently and not fill up the flume; instead of getting a big rush of apples all dumped at once, to take it easy and keep a gentle flow going.

Q. What did he say, if anything?

A. He said, "OK." It was all right by him.

Q. When was the next time you had occasion to talk to him about the performance of his job?

* * * * *

Q. (By Mr. Berke): When was the next time?

A. I would say about two or three weeks later.

Q. Sometime in the month of August?

A. Probably in August, yes.

Q. And where did it take place on that occasion?

A. In the same place as before: at the dump.

Q. And who was present during that conversation?

A. Oh, the people who were working there. I don't know who they were now.

Q. Were they within hearing distance?

A. They may have been.

Q. Who were they; do you recall?

A. No, I don't.

Q. What was your conversation on that occasion?

A. Well, a repetition of——

(Testimony of Leonard J. Duckworth.)

Q. Well, use as near as you can the language that was used.

A. I told him again that I had been criticized because the apples were being thrown into the flume too quickly, and that the apples were being bruised. I asked him again to dump more slowly and to keep a steady flow going.

Q. And what was his response, if anything?

A. He said, "OK," again. He would watch it.

Q. Now, were there any other occasions that you had to talk to him about performance of his job?

A. Yes. On about two occasions, later on, he did leave his post. I found him in the warehouse.

Q. When was that?

A. I would say that must have been around September, sometime—latter part of August or early in September.

Q. And what warehouse was this you found him in?

A. Regular cannery—the warehouse part of the cannery itself.

Q. You mean the section of the cannery that is referred to as the "cannery warehouse"?

A. Yes.

Q. Now, was there some conversation with Mr. Storey on that occasion?

A. I asked him to get back.

Q. Just answer yes or no.

A. Yes, there was.

Q. Was there anyone else present at the time?

A. To hear the conversation?

(Testimony of Leonard J. Duckworth.)

Q. Yes. A. No.

Q. All right. Will you tell us what was said?

A. I asked him to go back to his post. [3089]

Q. Was that all the conversation?

A. Yes, it was.

Q. Was this during working time?

A. Yes.

Q. Was it at the time when he was supposed to have been working, or on his break?

A. The men have no break.

Q. Now, when was the other occasion that you talked with him?

A. I would say within two weeks.

Q. And where did that take place?

A. Same place.

Q. What was he doing on the first occasion that you saw him in the cannery warehouse?

A. He was just talking to someone.

Q. Did the duties of his job take him in there?

A. No.

Q. Now, who was present on the second occasion in the warehouse?

A. Oh, the warehouse crew.

Q. Well, did they participate in the conversation? A. No, they did not.

Q. Did anyone else besides you and Mr. Storey participate in that conversation?

A. No. [3090]

Q. Will you tell us what was said there?

Trial Examiner: When was this conversation, now?

(Testimony of Leonard J. Duckworth.)

The Witness: About two weeks after the first occasion.

Trial Examiner: All right.

A. I just asked him to get back to his dumping station.

Q. (By Mr. Berke): What did he say?

A. He said, "OK."

Q. Did he go back then? A. Yes, he did.

Q. What was he doing on that occasion?

A. Just talking to someone in the warehouse.

Q. Was this during working time?

A. Yes.

Q. Now, while you were superintendent of the cannery last year, did any of the employees talk to you about the union?

A. On one occasion, Frank Unciano.

Q. When did that happen?

A. Oh, I don't know the date exactly. I imagine in September sometime.

Q. All right. And you say this is Frank?

A. Could have been October; I don't know for sure. Either late September or early October.

Q. Where did it take place?

A. In my home.

Q. "At my home"? [3091] A. Yes.

Q. What time of the day?

A. About 6:00 o'clock in the evening.

Q. Had you invited Mr. Unciano to your home?

A. No.

Q. On that occasion? A. I had not.

Q. Who was present besides you and Mr.

(Testimony of Leonard J. Duckworth.)

Unciano? A. My wife.

Q. And what took place then? Will you tell us what was said?

A. He came to my home at that time. Our floorlady, the day floorlady, Edna Hardin, had been quite ill, and on that occasion we had found cause to replace her with Alicia Unciano, Frank Unciano's wife. She had previously been floorlady for us, and at that time she was acting as floorlady.

And on this evening Frank Unciano came to my home and said that Mr. Bartini had bawled his wife out about something—I don't know what—and Frank was rather upset about it and so was his wife.

So he came to complain to me about it.

Q. What did he say to you?

A. He said, Mr. Martini called his wife down and she didn't like it, and he didn't like it either, and he asked me what I thought about the union.

Q. What did you say?

A. My answer was—do you want me to give my answer?

Q. Yes.

A. I said, so far as I saw I don't see it would do him much good in a short time operation as we have there.

Q. Was there anything more?

A. I said, of course he could do as he feels about it. I said it was his right, but personally—he asked me what I thought about it—and I told him I didn't think it would do much good.

(Testimony of Leonard J. Duckworth.)

Q. Was this all that was said about the union on that occasion? A. Yes.

Q. Now, were there ever any instructions given to the supervisory employees with respect to discussions concerning the union?

A. Yes, there were.

Mr. Karasick: All right. I will move to—Withdraw that.

Q. (By Mr. Berke): Who gave those instructions? A. Mr. Martini.

Q. When did he give them?

A. I would say late in July, when the union activities first started in our plant.

Q. To whom did he give them? [3093]

A. To me.

Q. Where were you at the time?

A. I don't know exactly where I was.

Q. Was there anyone else present besides you and Mr. Martini? A. No.

Q. What did Mr. Martini say?

A. He said it would be best if we refrain from discussing the union with any of the employees—any activity at all.

Q. And what did you say?

A. I said I would carry his instructions out and carry them down to my immediate supervisors.

Q. And did you do that? A. Yes.

Q. Who did you talk to?

A. Edna Hardin; Charles Williams; Mrs. Herrierias.

Q. What did you tell them?

(Testimony of Leonard J. Duckworth.)

A. I just told them that Mr. Martini thought it would be advisable if we did not discuss union activity at all, and to refrain from discussing it with any of the employees.

Q. Now, Mr. Duckworth, you know Orice Storey, don't you? A. Yes, I do.

Q. She testified here that on August the 4th she got two cards—two union authorization cards—from you while she was in her car at the parking lot, and that as you gave them to her you said to her, as you left, "Hit that man with these," [3094] and you pointed to someone who was walking toward the highway.

Did any such incident take place?

A. It did not.

Q. Did you ever give Orice Storey any union authorization cards? A. I did not.

Q. Did you ever tell her to "Hit" any man with cards or anything else? A. I did not.

Q. Now, Frank Unciano testified here that about three weeks before the layoff he asked you why they were sending all those apples to the Co-op, and that you told him that they were trying to finish all the apples because they were afraid the union was trying to get in and they did not want to do business with unions.

Did you ever have any conversation about that with Mr. Unciano? A. I did not.

Q. Did you ever discuss with him a reason for the apples going over to the Co-op? A. No.

(Testimony of Leonard J. Duckworth.)

Q. Now, Clarence Storey testified here that on September 23, about 11:45 a.m., he went to punch in and that you caught him by the sleeve and held onto it and said, "Martini wants to see you in his office."

Did such a conversation, such an incident occur?

A. May I explain a little?

Q. Go ahead.

A. I told him Mr. Martini wanted to see him. I did not catch him by the sleeve.

Q. Did you hold onto his arm?

A. I did not.

Q. Did you go with him to Mr. Martini's office?

A. No.

Q. Or up to the cannery office? A. No.

Q. Were you in the meeting between Mr. Storey and Mr. Martini? A. No.

Q. Now, Mr. Storey also testified that while he was in this meeting with Mr. Martini he heard only one whistle blow; that two whistles generally blow, one about 7 minutes before work time, and the second blows at 12:00 noon on the dot. This is during the lunch period.

Now, did two whistles ever blow during the lunch period at the cannery last year? A. Never.

Q. Did a whistle blow five or seven minutes before the end of the lunch period last year?

A. No. [3096]

* * * * *

Q. (By Mr. Berke): How many whistles blow or did blow during the lunch period last year?

A. We blow one whistle when the lunch period

(Testimony of Leonard J. Duckworth.)

starts; we blow one whistle when the lunch period ends.

Mr. Berke: I am getting to a question that has pretty strong language in it. Do you want Mrs. Storey to remain?

* * * * *

Q. (By Mr. Berke): Mr. Storey testified that on September 25, at about 11:45 a.m., Mr. Martini came out of the south door in the cannery and called Storey out into the street, on company property, and asked him, "Do you know what your wife is doing? She is forming a committee on the night shift. You go out and fire her."

Mr. Storey testified that he replied, "That is your fucking job; if you want to fire her, you go fire her. I only work here. You are the boss."

He also testified that on that occasion you, Mr. Duckworth, [3097] said you had two witnesses to prove Mrs. Storey was forming a committee—two girls.

Then Mr. Storey said Mr. Bondi came around the truck and said, "If you have two witnesses, that is enough; I will sign her check."

Mr. Storey further testified that on that same occasion he said to Mr. Martini that his wife was on her own time and Mr. Martini said, "Why don't they get their fucking committee, and get it over with."

Mr. Martini said, "I am the boss. Why the hell don't you get Bertolucci and Rhodes to shut the goddamn thing down. If you don't I am going to."

(Testimony of Leonard J. Duckworth.)

Q. Now, Clarence Storey testified here that on September 23, about 11:45 a.m., he went to punch in and that you caught him by the sleeve and held onto it and said, "Martini wants to see you in his office."

Did such a conversation, such an incident occur?

A. May I explain a little?

Q. Go ahead.

A. I told him Mr. Martini wanted to see him. I did not catch him by the sleeve.

Q. Did you hold onto his arm?

A. I did not.

Q. Did you go with him to Mr. Martini's office?

A. No.

Q. Or up to the cannery office? A. No.

Q. Were you in the meeting between Mr. Storey and Mr. Martini? A. No.

Q. Now, Mr. Storey also testified that while he was in this meeting with Mr. Martini he heard only one whistle blow; that two whistles generally blow, one about 7 minutes before work time, and the second blows at 12:00 noon on the dot. This is during the lunch period.

Now, did two whistles ever blow during the lunch period at the cannery last year? A. Never.

Q. Did a whistle blow five or seven minutes before the end of the lunch period last year?

A. No. [3096]

* * * * *

Q. (By Mr. Berke): How many whistles blow or did blow during the lunch period last year?

A. We blow one whistle when the lunch period

(Testimony of Leonard J. Duckworth.)

starts; we blow one whistle when the lunch period ends.

Mr. Berke: I am getting to a question that has pretty strong language in it. Do you want Mrs. Storey to remain?

* * * * *

Q. (By Mr. Berke): Mr. Storey testified that on September 25, at about 11:45 a.m., Mr. Martini came out of the south door in the cannery and called Storey out into the street, on company property, and asked him, "Do you know what your wife is doing? She is forming a committee on the night shift. You go out and fire her."

Mr. Storey testified that he replied, "That is your fucking job; if you want to fire her, you go fire her. I only work here. You are the boss."

He also testified that on that occasion you, Mr. Duckworth, [3097] said you had two witnesses to prove Mrs. Storey was forming a committee—two girls.

Then Mr. Storey said Mr. Bondi came around the truck and said, "If you have two witnesses, that is enough; I will sign her check."

Mr. Storey further testified that on that same occasion he said to Mr. Martini that his wife was on her own time and Mr. Martini said, "Why don't they get their fucking committee, and get it over with."

Mr. Martini said, "I am the boss. Why the hell don't you get Bertolucci and Rhodes to shut the goddamn thing down. If you don't I am going to."

(Testimony of Leonard J. Duckworth.)

Then Mr. Martini said he forbade talking about the union on company property.

Now, did such an incident occur, Mr. Duckworth?

A. It did occur, but not that conversation.

Q. Would you tell us what did occur on that occasion, Mr. Duckworth?

A. Well, on that occasion Mr. Martini and I came together around the side of the building. Mr. Martini wanted to talk to Mr. Storey and Mr. Martini did, I imagine, use a little hard language. I mean, not abusive, but a little strong, shall we say.

* * * * *

Q. (By Mr. Berke): Give us, as near as you recall, the language which was used.

A. He told him that, Mr. Martini told Storey, that he had discharged his wife and that he would be next—that is, Clarence Storey himself would be next—if he didn't quit goofing off and leaving his post when he is not supposed to.

Q. What was the strong language?

A. A few "hells" and "damns" maybe; I don't know exactly.

Q. Did he use the words that I gave you that Mr. Storey used twice in his testimony?

A. No, I don't believe so.

Q. Was Tony Bondi present?

A. No, he was not.

Q. Did you say that you had two witnesses to prove that [3099] Mrs. Storey was forming a committee—two girls? A. No, I did not. [3100]

* * * * *

(Testimony of Leonard J. Duckworth.)

Cross Examination * * * * *

Q. (By Mr. Karasick): How long after the meeting was over did you leave?

A. Did I leave the meeting?

Q. Yes. A. Immediately.

Q. And where did you go?

A. Right back to the cannery.

Q. And you talked to no one—no employees or anyone else? A. Only one man.

Q. I see. And that was who?

A. That was Breuer.

May I change that?

Q. Yes.

A. I did speak to other employees. Some were confused about going back to work, so I made it very clear that the night [3106] shift was to work, and to whom I spoke, by name, I don't know.

Q. You don't recall?

A. No, but I did speak to several persons and told them to finish the night shift.

Q. They came up and told you they were confused? A. That is right, yes.

Q. Do you remember how many there were, if you don't remember names?

A. I don't remember exactly.

Q. Several?

A. Several. And I can go on from there, too, if I may.

Q. If you like.

A. I instructed Ella Herrerias, the night floor-lady, and Charles Williams, the night foreman, to

(Testimony of Leonard J. Duckworth.)

make sure that the night shift went back to work.

* * * * *

Q. There was a whistle which blew at the beginning of the lunch hour, and a whistle which blew at the conclusion of the lunch hour on the day shift last year? A. That is right.

Q. Do you remember that there was a short time—a short period of time—when there was a short blast of the whistle some two minutes before, to warn the employees the whistle was going to blow? A. No.

Q. Will you answer the question? A. No.

Q. Your testimony is that at no time last year during the operating season on the day shift was a warning blast of the whistle blown—a short blast—slightly or shortly before approximately seven minutes, or thereabouts, before the whistle blew for the return to the noon shift?

A. There was never a whistle like that; never.

* * * * *

VIRGINIA CHICANO

a witness called by and on behalf of the Respondent, being first duly sworn, was examined and testified as follows: [3149]

* * * * *

Direct Examination

Q. (By Mr. Berke): Mrs. Chicano, do you work for the Sebastopol Apple Growers Union?

A. For three years.

Q. Is that place sometimes known as Molino or SAGU?

(Testimony of Virginia Chicano.)

A. Well, that is all I know, name is Molino.

Q. You know it as Molino?

A. That is right.

Q. Are you working there now?

A. Yes, I do.

Q. What job do you have? A. Trimmer.

Q. And how long have you been a trimmer?

A. All the time.

Q. All the three years that you were there?

A. That's right.

Q. Last year, what shift did you work on?

A. I started with the day shift, and when the night shift come in, they transferred me to the night shift.

Q. Now, how long did you work on the day shift last year, when you started? [3150]

A. I guess about a week or so before the night shift started.

Q. Do you know what month that was?

A. No, I don't—when we start?

Q. Yes.

A. We start in July last year.

Q. July. And who was your floorlady on the night shift? A. Mrs. Herrerias.

Q. And how long did you remain on the night shift? A. Until it was through.

Q. And when was that; do you know?

A. Month? Oh, gee, what was that? I forgot all the time, the month. You know how it is.

Q. Do you remember the layoff in October?

A. Yes.

(Testimony of Virginia Chicano.)

Q. Of last year? A. Yes, I do.

Q. Did you work right up to that time?

A. Yes.

Q. And then did you continue to work after the layoff? A. Yes.

Q. What job did you have at that time?

A. Trimming—just the same thing.

Q. Who was your floor lady then?

A. Mrs. Herrerias. [3151]

Q. Do you remember the meeting that was held in the warehouse about the middle of October of last year, of the employees, for the layoff?

A. Yes.

Q. Now, keeping in mind that particular time, do you recall an incident involving some apples?

A. Yes.

Q. About when did that occur, that incident?

A. Two afternoons.

Q. Two afternoons. When, with relation to that meeting in the middle of October?

A. Oh, there was about two-three weeks after.

Q. And you say this was two afternoons?

A. That is right.

Q. And where were you at the time?

A. I was in the squirrel cage—you know, picked all the apples for the trimmers, pick up all the bad apples and trim them myself.

Q. You were down at what cage?

A. Squirrel cage.

Q. Squirrel cage? A. That is right.

Q. And your job was inspecting and trimming?

(Testimony of Virginia Chicano.)

A. That is right. [3152]

* * * * *

Q. (By Mr. Berke): Will you tell us what you saw about the apples?

A. Well, the apples was beautiful, big apples, and there was making big holes and putting the cores——

Mr. Karasick: May I ask that the description be “most beautiful, big apples,” be deleted as being conclusion and the characterization of the witness.

Trial Examiner: No. I think I will let it stand with the note that the witness was indicating an apple about eight inches across in diameter.

Mr. Berke: That is correct.

The Witness: That is correct.

Q. (By Mr. Berke): And what did you notice about these apples?

A. Well, they had a core through, and we was making Fancy, you know, for apple pies, and I said, “Gee, this is funny. They come in the squirrel cage like that.”

Q. Do you recall how many such apples you saw?

A. Well, about two or three dozen like that, I say.

Trial Examiner: Two or three dozen?

The Witness: About.

Q. (By Mr. Berke): Did you ever do anything to any of those [3153] apples?

A. Well, I was trimming the back—had my back like this, and the way they come, I put some in the box, aside.

(Testimony of Virginia Chicano.)

Q. Some. About how many; do you recall?

A. Five or six, I guess; I put them on one side there.

Q. Had you ever seen apples like that before those two occasions? A. I never did.

Q. Did you ever see apples like that again after the second occasion? A. I never did.

Q. Now, what happened to the apples that you picked up—the six or seven that you said you put in the box?

A. The floorlady passed by; she grabbed——

Q. Take it slowly. What?

A. The floorlady came by and took it away. I don't know.

Q. Who was that? A. Mrs. Herrerias.

Q. Did she say anything to you?

A. If she ever says anything with the noise I never heard.

Q. You didn't hear her? A. No.

Q. Did you know Mrs. Dickerson?

A. No, I don't know that woman. I knowed all the girls, say, "Hello"; that is all. But I don't know her. [3154]

Q. You don't know her personally?

A. No, I don't.

Q. Now, while you worked at SAGU, Mrs. Chicano, did you see any apples with faces on them?

A. I never did.

Q. Did you ever see any apples with hair on them for dress-up? A. I never did.

(Testimony of Virginia Chicano.)

Q. Did you ever see any apples made into dolls?

A. No, I never did. [3155]

* * * * *

Q. Do you know Mrs. Storey? A. Yes.

Q. She is the lady sitting here?

A. That is right.

Q. Now, did Mrs. Storey ever talk to you about joining the union? A. One afternoon.

Q. Is the answer "yes"? A. Yes.

Q. Now, when was it; do you recall?

A. One Saturday.

Q. One Saturday?

A. (Nodding affirmatively.)

Q. About what time?

A. Well, around quarter to 12:00. Because there was coming out, and we was going in to work.

Q. And do you recall about what month that would be? A. No, I don't.

Q. Where was Mrs. Storey at the time? [3158]

A. I was sitting under the balcony—two benches over there—and Mrs. Storey came in by me and told me, "Don't you want to sign a card for the union."

Q. About what time of the day was this?

A. Between a quarter to 12:00.

Q. Between a quarter to 12:00 and—

A. Quarter to 12:00. There was coming out 12:00 o'clock; we was going in to work at 12:00.

Q. And you say you were sitting on a bench?

A. Yes.

Q. Under the balcony? A. Yes.

(Testimony of Virginia Chicano.)

Q. Were there any other people present who heard your conversation with Mrs. Storey?

A. No. [3159]

* * * * *

Q. (By Mr. Berke): Tell us, as near as you recall, what she said to you and what you said to her.

A. She came to me and told me, "You want to sign a card for the union?" And I told her, "I am old enough to do what I want to do, not what nobody tell me what to do."

Q. Now, you say you can't recall the date when that occurred? A. No.

Q. Would it refresh your memory if I were to suggest a date to you? A. Maybe.

Q. Was it about the latter part of September last year?

A. It was. I guess it was the last part of September.

Q. Now, on that same occasion, did Mrs. Storey talk to any [3160] other women?

A. Well, she left me and she went and talked to some other girls. I never heard what she said—never paid attention.

Q. You didn't hear what was said?

A. No.

Q. Did you pick up a rubber mouse down at the squirrel cage? A. No.

Q. Did you ever pick up any rubber gloves or any other rubber object? A. No.

Q. Do you know Irma Bate? A. Yes.

(Testimony of Virginia Chicano.)

Q. Bearing in mind the meeting in the warehouse on October 15, when you had the layoff meeting, did you have a conversation with Irma Bate around that time? A. I guess so, I did.

Q. Pardon?

A. Do you mean if I talked the same day from the layoff?

Q. No. Around that time? A. Yes.

Q. When was it that you talked with Mrs. Bate?

A. I talked to her—I seen her going to my house the Saturday after the layoff.

Q. Yes. [3161]

A. And then in a Monday when we went to work I told her, I say, “You stuck up.”

Q. Wait a minute. This was Monday. How do you remember with respect to the layoff?

A. When we starting to work on the day shift.

Q. That was the Monday following the layoff meeting? A. That is right.

Q. Where did you talk with Mrs. Bate?

A. I was working over there by my place—the squirrel cage—and she came in.

Q. All right. What time of the day was this?

A. It was in the morning, between 10:00 to 10:30, we get the recess period.

Q. I see. Were you working at the squirrel cage at that time? A. Yes.

Q. And where was she?

A. She was getting her recess period, and she came and talked to me.

(Testimony of Virginia Chicano.)

Q. And was there anyone else present that took part in the conversation? A. No.

Q. What did she say to you and what did you say to her?

A. I told her, "Stuck up." I say, "You was in the neighborhood and never came in and see me." She told me, "I [3162] went to take papers to Ella's."

Q. Now, what "Ella" was she referring to, or do you understand she was referring to?

A. She told me Ella Herrerias.

Q. Now, you said something to her about "stuck up," that she was in the neighborhood?

A. That is right.

Q. What neighborhood were you talking about?

A. Well, she went to the road to where I live to, she passed the same road.

Q. When was it you saw her do that?

A. On Saturday after the layoff.

Q. And where were you at the time when you saw her?

A. My husband was knocking the old house we had down, built new home on the property, and we was knocking the old house down. We was, oh, about 15 feet, when she went to the road and I see her.

Q. Where was that?

A. She was going in the car—her car.

Q. And did Ella Herrerias live there, near there at the time?

(Testimony of Virginia Chicano.)

A. Yes, she lived a way up, oh, I don't know, about a quarter of a mile, not quite, I think.

Q. A quarter of a mile?

A. Not quite, I think. [3163]

* * * * *

GEORGIA LOUISE HOWSE

a witness called by and on behalf of the Respondent, being first duly sworn, was examined and testified as follows: [3195]

* * * * *

Direct Examination

Q. (By Mr. Berke): Mrs. Howse, by whom are you presently employed?

A. By the Apple Growers Union.

Q. Is that the Sebastopol Apple Growers Union?

A. Yes.

Q. Sometimes known as Molino or SAGU?

A. People call it that; I guess so.

Q. Have you ever heard it called by either one of those terms? A. Yes.

Q. What is your job at the present time?

A. I am what they call the laboratory technician right now.

Q. And what shift do you work now?

A. I work the night shift.

Q. When did you first go to work for SAGU?

A. Well, it was last year, August—around August 14.

Q. And what job did you have at that time?

A. Well, when I first started I worked outside on the conveyor.

(Testimony of Georgia Louise Howse.)

Q. On the conveyor what? [3196]

A. Conveyor belt.

Q. And what was your job then?

A. Well, it was sorter, or to take the bad apples off this belt that went by.

Q. Now, where was this conveyor belt that you worked on when you started last year?

A. It was outside the cannery.

Q. Go ahead.

A. There is a roof over it and everything, but it is outside; it isn't in, where they make the sauce or slices.

Q. Do you know Clarence Storey? A. Yes.

Q. Did you know where he worked last year?

A. Yes.

Q. Now, with relation to the place where he worked at SAGU, where was your job performed?

A. Well, near him. I imagine it would be about six foot away from him—somewhere like that.

Q. Now, will you tell us just what your duties were when you started working there last year on this conveyor?

A. Well, we just stood there and when the apples passed over the conveyor belt, we picked the bad apples off and we threw them in a bin that took them away.

Q. Now, who put the apples on the conveyor that you were inspecting? [3197]

A. Mr. Storey put them there.

Q. And how long were you working on that job at that time?

(Testimony of Georgia Louise Howse.)

A. Oh, I worked there about ten days.

Q. And then after the ten days, where did you work?

A. I went inside to work then as a trimmer.

Q. And did you work for the balance of the 1954 season as a trimmer?

A. No. I worked as a trimmer about ten days.

Q. And then what occurred?

A. Well, Mr. Duckworth asked me if I would like to go upstairs and work in the lab.

Q. And did you go up there immediately?

A. Yes. Well, he said it would be a few days; he would come around and talk to me more about it. But then after that, I went up there for about an hour each day for a week, learning, and then after that I was up there all of the time.

Q. You say you were "up there learning"? Did someone teach you?

A. Yes.

Q. Who was it?

A. Well, Mr. Duckworth and Ruth Winkler.

Q. Who else?

A. And Mrs. Doty. They all helped show me what to do.

Q. Now, were there four of you that worked in the laboratory?

A. No. Ruth Winkler quit to go back to school, so that just [3198] left Mrs. Doty and I.

Q. Did you take Ruth Winkler's job?

A. Yes.

Q. And did you remain in the laboratory, then, for the balance of the 1954 season?

(Testimony of Georgia Louise Howse.)

A. Well, I worked from—I mean, I worked there, but not all of the time. I worked when they started making slices, then I went back out to the grader—I mean, the conveyor belt with the penetrometer.

Q. Do you mean the same conveyor belt where you started in August of 1954?

A. Yes. [3199]

* * * * *

Q. Now, when you first began to work—about August 14—on the conveyor out near Mr. Storey, who was your Supervisor?

A. Mr. Duckworth.

Q. And was he your immediate supervisor?

A. Well, no. He was over the plant.

Q. I mean your immediate supervisor?

A. I was under Edna Hardin, the floorlady.

Q. Now, while you worked out there for about a period of ten days in August, did you observe how Mr. Storey dumped the apples? A. Yes.

Q. And were these apples that were dumped by him the ones that you say came along the conveyor that you inspected? A. Yes.

Q. Will you tell us what you observed in connection with this dumping of the apples?

Mr. Karasick: I will object.

Trial Examiner: Overruled.

A. Well, Mr. Storey would dump them in great big heaps on the conveyor belt but about a foot deep or more and three or four boxes or more and start the conveyor and they would all go up this

(Testimony of Georgia Louise Howse.)

conveyor belt, and there was only a couple girls there, and we couldn't get all the bad apples or worms or whatever in there and after while, when they got inside the plant the worms and things would be showing up, and then the floorlady would come and give us a bad time about it. [3201]

* * * * *

Q. (By Mr. Berke): Who was your floorlady at the time that you say came out——

A. Edna Hardin.

Q. ——and gave you a bad time. What did she say?

A. She said that we would have to try harder to get the worms out of the apples.

Q. And did you say anything to her?

A. Well, yes.

Q. What did you say?

A. I said we couldn't, the way they were going over the conveyor; they were so thick and deep we couldn't get them all out that way.

Trial Examiner: Excuse me. I want to get straight on one thing.

You said, "get the worms out of the apples."

The Witness: Wormy apples off the belt—sunburned and anything else that was there.

Q. (By Mr. Berke): You don't mean take the sunburn off?

A. Take the sunburned apples out and put them in the bin.

Q. Now, were there any occasions while you

(Testimony of Georgia Louise Howse.)

worked there when any incidents occurred involving empty boxes? A. Well, yes.

Q. About when did that occur? [3202]

A. Oh, well, that was after Mrs. Storey was discharged.

Q. Do you recall about when she was discharged?

A. Oh, that was around September the 25th, somewhere around there.

Q. And how long was this after her discharge that this incident occurred?

A. I would say it was a week or ten days.

Q. And where did it occur?

A. Well, outside, on the conveyor belt.

Q. And at that time, what were you doing?

A. I was using the pentrometer then.

Q. And in connection with using the pentrometer in testing the apples that you have testified, where did you do that testing?

A. You mean the testing of the applesauce?

Q. No. With the pentrometer, as you have testified?

A. Well, beside the conveyor belt, about a foot—no, about a yard away from Mr. Storey.

Q. And did you do that daily? A. Yes.

Q. And with what frequency during the day did you do that?

A. Well, I stayed out there most all day some days. It depended on if they were having a lot of ripe apples, I stayed all the time, because we had to watch them more closely.

Q. Now, do you wear glasses? [3203]

(Testimony of Georgia Louise Howse.)

A. Yes.

Q. And were you wearing glasses at that time?

A. Yes, sir.

Q. Did you wear them constantly last year?

A. Yes.

Q. And did you wear them at your work?

A. Yes.

Q. When this incident occurred, who else was present at the time?

A. Oh, I don't know. There was Erma Bate and there was another woman—I forget her name—Ernie something—I don't remember her last name. Ernestine Hackner, or something like that. I don't remember her last name.

Q. Do you recall about what time of the day it was that it occurred?

A. Well, it was around 11:00 o'clock in the morning, I imagine.

Q. All right. Will you relate what happened, please?

A. Well, Mr. Storey would let these empty boxes go up the conveyor belt. And he kept doing it and doing it and he waited until I would be reaching over the conveyor belt getting an apple and so one day he said—I complained to him, I said, "You are doing this to hit me," or something like that to him, and he didn't pay any attention.

So one day he says, "Well, you better take your glasses [3204] off," and I says, "I wouldn't take my glasses off because I needed them in my work."

* * * * * [3205]

(Testimony of Georgia Louise Howse.)

Q. (By Mr. Berke): Whom did you notify?

A. Well, I told Mr. Duckworth and Esther Doty and the people in the lab when I went up for lunch.

Q. And the supervisor that you told was Mr. Duckworth? A. Yes. [3207]

* * * * *

ROBERT NORMAN LEE

a witness called by and on behalf of the Respondent, being first duly sworn, was examined and testified as follows:

* * * * *

Direct Examination

Q. (By Mr. Berke): Mr. Lee, are you employed by the Sebastopol Apple Growers Union?

A. Yes, I am. [3209]

* * * * *

Q. (By Mr. Berke): Now, did you, at any time during 1954, operate the lift truck inside the cannery? A. Yes, I did.

Q. About when? [3211]

A. That was around—it was the latter part of July when I operated in there.

Q. And for how long a time did you operate it in the cannery? A. Two days.

Q. Was that part of your regular duties?

A. No, sir.

Q. Who was the regular operator at that time?

A. I don't know who it was that was operating, but he was sick those two days.

Q. And you replaced him for those two days?

A. That is right.

(Testimony of Robert Norman Lee.)

Q. Now, what did you do with the lift truck during that period when you operated in the cannery last year?

A. Well, that was taking—they have a big tank that they put the sliced apples in. You pick that up and take it over to the vacuum and when the vacuum is pumped out of it, you pick, lift it up about ten foot, I guess, to the blanching tank, where it was dumped.

Q. Now, will you describe the operation—that is, how you would go about lifting the tanks onto the lift truck or the fork lift, and just go through the maneuvers that you would go through.

A. Well, you take an empty tank from outside and you set it up to where they fill it, and then it is filled and then you had to drive in, pick it up, back up, drive in to the [3212] vacuum tank, set it down, and back out, and let the bell down over it to pump the vacuum.

Then you raised the bell, picked that tank up, and set it upstairs on the blanching tank.

Q. How would you raise it up to the blanching tank?

A. With the lift, raise it up there—pull it around and raise it up.

Q. Now, when you had the tank on the fork lift, or the lift truck, where would it be? On the front or rear of the fork lift?

A. Well, it is the front of the lift truck—you are facing the tank.

Q. Now, in making these movements that you

(Testimony of Robert Norman Lee.)

have described, when you have got the tank on the lift truck in front of you, can you see in front of you—see what is going on in front of you?

A. Not——

Q. Now, did you have a lot of room in which to make these movements that you described, inside the cannery?

A. No, there wasn't very much room in there.

Q. Do you recall, Mr. Lee, an unusual occurrence in the cannery sometime in September of 1954?

A. Yes, I do. [3213]

* * * * *

Q. (By Mr. Berke): Did this occurrence happen every day at the cannery?

A. No, it did not.

Q. About when in September, as near as you recall, was it that it occurred?

A. Between September 22 and the 25th. But now, the exact date, I don't remember.

Q. Do you remember what time of the day it was?

A. Yes; it was 12:03.

Q. 12:03 what?

A. Well, it was lunch time; I was going to eat.

Q. 12:03 in the morning—a.m. or p.m.?

A. Well, it would be p.m. because—noon—it would be a.m.—no.

Trial Examiner: Well, you said "noon". [3214]

A. (Continuing) I was going to eat at noon, 12:03.

Q. (By Mr. Berke): How do you recall it was 12:03?

(Testimony of Robert Norman Lee.)

A. Because when the whistle blows I am at cold storage, and I have to walk to the cannery, and that takes approximately three minutes.

Q. And what were you doing at the time that this occurrence took place?

A. I was going to punch out.

Q. And you were going to punch out for what?

A. To go eat.

Q. And what period did you have then for lunch? A. From 12:00 to 1:00.

Q. Do you recall what the lunch hour for the women was at that time?

A. It was from 11:00 to 12:00 then, because they were taking an hour for lunch at that time.

Q. Now, whereabouts were you when you saw that occurrence?

A. I was standing right in front of the time clock.

Q. And will you describe what you saw?

A. You mean who I saw and what I heard?

Q. All the details, as near as you can recall.

A. I saw Mr. Martini standing there, and a whole group of women. It was around 15 or 20 women. So naturally I am the inquisitive type anyway, so I stayed to listen.

Q. Now, where did you see Mr. Martini and this group of [3215] women?

A. They were standing right between the time clock and the blanching tank. That is the same path that the lift truck has to go through to get to the vacuum bells.

(Testimony of Robert Norman Lee.)

Q. And you say being inquisitive you did what?

A. I listened and looked.

Mr. Karasick: Well,—go ahead.

Q. (By Mr. Berke): Tell us what you saw and what you heard.

A. Well, I saw Mrs. Storey, as I recall, because I knew her from sight.

Q. Is she in this hearing room.

A. Yes, she is.

Q. Go ahead.

A. And a group of women, who I don't recall at the time, and Mr. Martini, was there. I heard Mrs. Storey tell Mr. Martini that he had to meet with the union officials or they were not going back to work. In other words, it was a walk-out or whatever they call it.

Mr. Karasick: Just a moment——

Q. (By Mr. Berke): Is that what she said or your interpretation?

A. She said they weren't going back to work unless he talked with the union officials and got straightened out.

Mr. Karasick: May the characterization "in other words, et cetera" be stricken? [3216]

Trial Examiner: That little phrase may be, yes.

Q. (By Mr. Berke): Did you hear what Mr. Martini said? A. Yes, I did.

Q. Will you tell us.

A. He said they could not do anything about it because it was all turned over to the National

(Testimony of Robert Norman Lee.)

Labor Relations Board and it was out of his hands entirely now.

Q. And did you remain there, or what did you do?

A. No, I went on and ate. I went up and told my foreman about it.

Q. Well, you say there were 15 or 20 women that were standing around with Mrs. Storey at the time?

A. There must have been at least that.

Q. What were the other women doing at the time?

A. Well, the rest of them had gone back to work. They weren't standing there, because the whistle had already blown and they were peeling apples.

Q. Did you see them actually working?

A. Yes. When you walk in to the time clock you can see everybody in there.

Q. You saw them? A. Yes, sir.

Q. Did you notice whether or not there were any apples in the flume?

A. Well, I know there were apples in the flume, yes. [3217]

Q. Did you notice on that particular day?

A. The dumpers were coming when I came by—had to be apples in the flume.

Q. On that particular occasion?

A. Yes, sir.

Trial Examiner: You say they were dumping?

The Witness: Yes. There is two dumpers.

(Testimony of Robert Norman Lee.)

Trial Examiner: Do you know them?

The Witness: They change often. One was Mr. Storey. If I recall, he was dumping then, and he had a young fellow helping him. I don't know who he was.

Q. (By Mr. Berke): When you left the group of women, was Mr. Martini still there?

A. Yes, he was still there.

Q. Now, do you know Clarence Storey?

A. Yes, sir—not personally, but I know him.

Q. You would know him if you saw him?

A. Uh-huh.

Q. Do you recall an incident involving Mr. Storey sometime in August of 1954.

A. Well, there were several incidents. There is one in particular I do recall, but——

Q. When was that, the one that you particularly recall?

A. Well, that was—you mean the date?

Q. About. If you can give us the date or otherwise fix it—— [3218] A. I don't know.

Q. Do you know when, about, it was?

A. It was the latter part of September—well, it must have been the latter part of September—first part of September.

Q. Where did this occur?

A. It occurred at the dumps where they dump the apples.

Q. Who was present there at the time?

A. There were several there. I don't recall who, exactly, was there.

Q. What were you doing on that occasion?

(Testimony of Robert Norman Lee.)

A. I was setting apples up to the dump, which we do. We haul apples up to the canner and sometimes if the lift truck to the cannery hasn't set up a pallet of apples, we set them up.

Q. Who is "we"?

A. Two lift drivers, cold storage.

Q. And that would be you and someone else?

A. Last year, Jimmy Higgins and myself.

Q. Will you tell us what occurred on that occasion that you particularly remember?

A. Well, it was when they gave him a helper. He said he couldn't dump the apples by himself and he wouldn't, and they gave him two young boys to help, and he had them dumping apples and he wasn't, and that is what I recall. [3219]

Q. You recall seeing them dumping, but not him?

A. Well, he said he wasn't going to; he wasn't getting paid enough for dumping. [3220]

* * * * *

MARY ELOIS CADDEL

a witness called by and on behalf of the Respondent, being first duly sworn, was examined and testified as follows:

Trial Examiner: What is your full name?

The Witness: Mary Elois Caddel.

Trial Examiner: And your home address?

The Witness: 2660 Gravenstein Highway South, Sebastopol, California.

Direct Examination

Q. (By Mr. Berke): Mrs. Caddel, where are

(Testimony of Mary Elois Caddel.)

you presently employed? A. Molino.

Q. Is that the Sebastopol Apple Growers Union?

A. Correct. [3249]

* * * * *

Q. When did you first go to work for Molino?

A. 13th of September, 1954.

Q. And what shift did you work on? [3249-A]

A. The night shift.

Q. What was your job at the time?

A. Trimmed apples.

Q. And did you continue to work the night shift throughout that season?

A. No; I worked the night shift until the layoff.

Q. And what happened after that?

A. And I went on days.

Q. What was your job when you were on days?

A. I trimmed apples the same.

Q. When you worked the night shift, who was your floorlady? A. Ella Herrerias.

Q. And then when you worked days?

A. Ella Herrerias.

Q. Was she still your floorlady? A. Yes.

Q. Did you join a union or sign a pledge card for some union while you worked for Molino?

A. I did.

Q. About when did you do that?

A. Well, I signed a pledge card twice. I worked at Co-op before I worked at Molino.

Q. Did you sign one while you were working at Co-op? A. I did.

Q. For what union? [3250]

(Testimony of Mary Elois Caddel.)

A. Teamster's, A.F.L.

Q. And do I understand you signed another one when you went to work for Molino?

A. I did, at South Sebastopol.

Q. When was that with relation to the time you went to work at Molino?

A. I would say a week or so after I started to work; the latter part of September.

Q. Do I understand that you worked for the Sebastopol Co-op Cannery in 1954 prior to going to work for Molino?

A. I did.

Q. When did you last work at the Co-op Cannery?

A. The 10th of September.

Q. And while there what shift did you work?

A. I worked the night shift.

Q. And did you quit or were you laid off?

A. No; the season had ended temporarily. They told us we perhaps would be called back in a week or two.

Q. With relation to the time that you were laid off then at the Co-op Cannery, when were you told about it?

A. Well, we were due to work until 2:30 that night, but about 8:00 o'clock the floorlady called us over and said this was it until a week or so, and we were forced to check out, and we did. [3251]

* * * * *

Q. (By Mr. Berke): Did you have any prior notice other than the notice you got that evening at the Co-op about the layoff?

A. No. [3252]

* * * * *

(Testimony of Mary Elois Caddel.)

Q. And how long did you continue to work at Molino in 1954?

A. Until the season ended in December.

Q. Did you ever have a discussion with your floorlady while working at Molino concerning your signing of the pledge card?

A. I did.

Q. About when did you have that discussion?

A. Well, several days after the layoff.

Q. And when you are talking about the layoff, what layoff do you have reference to?

A. When we changed into one shift.

Q. And do you remember what you were doing at the time you had this discussion?

A. Yes; I was trimming apples.

Q. And do you recall who was present in the conversation?

A. Just the floorlady and myself.

Q. Who was the floorlady?

A. Ella Herrerias.

Q. Do you know about what time of the day it was?

A. I don't remember.

Q. Can you tell us what part of the day, whether it was——

A. I think it was in the afternoon.

Q. Will you tell us what the conversation was and tell us who was speaking?

A. Well, she came by there this particular time in between my [3253] partner and I, as she usually did several times during the day, checked the apples and see how we were working. So I told her, asked

(Testimony of Mary Elois Caddel.)

her if she had a few minutes, I would like to talk with her and she said, "All right, go ahead."

I said, "Ella, I have heard rumors that all the girls were laid off that had signed pledge cards, and I want you to know that I had signed a pledge card; if it makes any difference, why, say so, perhaps there is a mistake in my being here."

She said, "Mary, you haven't a thing to worry about. I did not know who signed the pledge cards. It doesn't make any difference to me whether you are union or not union. I kept my girls, selected them from the way they worked."

So I thanked her. [3254]

* * * * *

Q. (By Mr. Berke): While you worked at Molino, Mrs. Caddel, did you see any apples that were dressed up like dolls or carved into dolls?

A. I have seen a few apples around Halloween time that had faces carved on them.

Q. Did you observe whether those were peeled or unpeeled apples?

A. Those were unpeeled, the ones I am speaking of.

Q. And did you observe anything as to their size?

A. They were extra large.

Q. By the way, did you ever withdraw your pledge card from the Teamsters Union?

A. I did not.

Q. You have worked all this season, have you?

A. I have. [3255]

* * * * *

(Testimony of Mary Elois Caddel.)

Q. Did you vote in the election that was held last year? A. Yes.

Q. Did you ever hear Ella Herrerias say that the company knew who was attending union meetings and had a list of them and they would be fired?

Mr. Karasick: I object to that.

Trial Examiner: Overruled.

The Witness: No.

Q. (By Mr. Berke): Did you ever hear Ella Herrerias say, or did she ever say to you that there was to be no talking about the union at work?

A. She never said that to me.

Q. Did you ever hear her say that to anyone else? A. No.

Q. Did you ever hear her say that those who would talk about the union while at work would be fired or blacklisted? A. No.

Q. Did she ever tell you that? A. No.

Q. Did you know Mrs. Herrerias before you went to work at the Sebastopol Apple Growers Union or Molino?

A. I had never seen her until I applied for work.

Mr. Berke: You may cross examine. [3256]

Cross Examination

* * * * *

Q. (By Mr. Karasick): Last year you filled out an application when you were at Molino before you went to work there?

A. The day I went to work.

(Testimony of Mary Elois Caddel.)

Q. This year did you fill out an application too?

A. I did.

Q. And I show you a document which is marked as General Counsel's Exhibit 26. Will you look at that carefully and tell me if that is the application that you filled out this year?

A. I believe so.

Q. And you signed it?

A. I did.

Q. You filled out all the information that the document requires?

A. I did. [3258]

* * * * *

Q. When did you talk to her again, if you did? Did you ever, after this conversation until the end of the season, again talk to Ella about the union?

A. I am not sure.

Q. Well, think hard.

A. I think that I had asked her a few questions in regard to the union before I told her about my signing of the pledge card.

Q. This is before the layoff?

A. Yes.

Q. What did you ask her?

A. I just asked a few questions because I didn't know much about the union, and she had always said, "Well, that is everybody's own personal business."

Q. You weren't quite sure about this, is that it? You went to her and asked her what her opinion was?

A. No, I didn't ask her opinion.

Q. Well, what did you talk to her about?

A. I asked her if she thought the union would help the girls, and I remember asking her that.

(Testimony of Mary Elois Caddel.)

Q. Did you vote in the election that was held last year? A. Yes.

Q. Did you ever hear Ella Herrerias say that the company knew who was attending union meetings and had a list of them and they would be fired?

Mr. Karasick: I object to that.

Trial Examiner: Overruled.

The Witness: No.

Q. (By Mr. Berke): Did you ever hear Ella Herrerias say, or did she ever say to you that there was to be no talking about the union at work?

A. She never said that to me.

Q. Did you ever hear her say that to anyone else? A. No.

Q. Did you ever hear her say that those who would talk about the union while at work would be fired or blacklisted? A. No.

Q. Did she ever tell you that? A. No.

Q. Did you know Mrs. Herrerias before you went to work at the Sebastopol Apple Growers Union or Molino?

A. I had never seen her until I applied for work.

Mr. Berke: You may cross examine. [3256]

Cross Examination

* * * * *

Q. (By Mr. Karasick): Last year you filled out an application when you were at Molino before you went to work there?

A. The day I went to work.

(Testimony of Mary Elois Caddel.)

Q. This year did you fill out an application too?

A. I did.

Q. And I show you a document which is marked as General Counsel's Exhibit 26. Will you look at that carefully and tell me if that is the application that you filled out this year?

A. I believe so.

Q. And you signed it?

A. I did.

Q. You filled out all the information that the document requires?

A. I did. [3258]

* * * * *

Q. When did you talk to her again, if you did? Did you ever, after this conversation until the end of the season, again talk to Ella about the union?

A. I am not sure.

Q. Well, think hard.

A. I think that I had asked her a few questions in regard to the union before I told her about my signing of the pledge card.

Q. This is before the layoff?

A. Yes.

Q. What did you ask her?

A. I just asked a few questions because I didn't know much about the union, and she had always said, "Well, that is everybody's own personal business."

Q. You weren't quite sure about this, is that it? You went to her and asked her what her opinion was?

A. No, I didn't ask her opinion.

Q. Well, what did you talk to her about?

A. I asked her if she thought the union would help the girls, and I remember asking her that.

(Testimony of Mary Elois Caddel.)

Q. Did she tell you it would?

A. She said that perhaps it would and perhaps it wouldn't. It was just for the girls to decide among themselves, that she knew nothing at all about the union. She wasn't for the union or against the union. [3265]

* * * * *

Q. Did you go to the meeting of the warehouse the day of the layoff? A. I did. [3268]

* * * * *

Q. Tell us what you can remember of that meeting as well as you can?

A. We had checked in and either Charley Williams or Ella Herrerias said that we were going to go over to the warehouse for this meeting. As we walked out of the plant, Ella said, "You can work tonight; come back and work."

So I went along with the other girls, and there was some discussion, but I was listening mostly to hear my name and wasn't listening to the girls and watching. [3269]

* * * * *

Q. You mentioned having seen decorated apples about Halloween time. Was that the first time you had ever seen them?

A. Yes. I have seen frequent apples, tiny apples, or Siamese apples, maybe laying around the machine.

Q. You mean that the girls would put them up somewhere to keep them from going through?

A. Yes. [3273]

* * * * *

WILLIAM A. OVERSTREET

a witness called by and on behalf of the Respondent, having been first duly sworn, was examined and testified as follows:

* * * * *

Direct Examination

Q. (By Mr. Karasick): What is your occupation?

A. Manager of the Sebastopol Co-op Cannery.

Q. How long have you been manager of that cannery? A. Since the 1st of March, 1955.

Q. Prior to March, 1955, what was your occupation?

A. I was assistant manager of Stokely van Camp's plant 46 at Oroville, California. [3275]

Q. And was that a cannery? A. Yes.

Q. And for how long were you assistant manager of that cannery?

A. 1949 through 1955, March 1st.

Q. And when you began your job as manager of the Sebastopol Cannery in March of this year, did you continue in that capacity right up to the present time? A. Yes.

Q. Did the Sebastopol Co-op Cannery have a day and night shift this season? A. Yes.

Q. Is the night shift still working? A. No.

Q. When was it laid off? [3276]

* * * * *

Q. (By Mr. Berke): What part of September.

A. I would probably think it was in the middle.

Q. Was notice given to the employees of the layoff?

(Testimony of William A. Overstreet.)

Mr. Karasick: I object to this specifically.

Trial Examiner: This is part of the offer? [3277]

* * * * *

A. In effect, as you would term a notice, no.

Q. When were the employees told that they were going to be laid off?

A. Well, specifically by management on the day of the layoff.

Q. Were they told prior to the day of the lay-off that there would be a layoff?

A. Not specifically, no.

Q. How were they given the notice of the layoff on the day of the layoff?

A. By the floorladies and the foreman in the plant.

Q. At whose direction was that done?

A. Mine, and also by a notice on the bulletin board.

Q. When was that notice put up?

A. The day of the layoff.

Q. When you worked as assistant manager of the Stokely van Camp's cannery at Oroville, did you have a day and night crew there—let's take the year 1954? A. Yes.

* * * * *

Trial Examiner: Yes.

Q. (By Mr. Berke): And tell us whether or not the night crew was laid off before the day crew was laid off? [3278] A. That is correct.

Q. And how were the employees informed of the layoff?

(Testimony of William A. Overstreet.)

A. By a notice on the bulletin board.

Q. And when was that notice put up on the bulletin board? A. The day of the layoff.

Q. If I were to ask you the same question with respect to the years prior to 1954, going back to the year 1949, when you were assistant manager, would your answer be the same? A. Yes.

Q. Mr. Overstreet, based upon your experience as assistant manager at Stokely van Camp for some five or six years, and your experience at Sebastopol Co-op Cannery this year, and your knowledge with respect to the layoffs, is there a reason why more notice is not given employees with respect to impending layoffs? A. Yes, there is.

* * * * *

The Witness: The management takes the position, and it [3279] has proven true over many years of experience, that when a night shift is going to be terminated, that if you give prior notice there is lots of your help that will not show up to finish out the season, so therefore, in all my experience with management, when you terminate a shift, night shift in a cannery, you normally give the notice on the day that the layoff is going to occur, and normally in the afternoon of the day of the particular shift. Therefore, you are assured that you will have a full complement of help up until the time that you terminate the shift.

Q. (By Mr. Berke): During the period of time that you were assistant manager for Stokely van Camp at Oroville, was there a union that repre-

(Testimony of William A. Overstreet.)

sented the employees as the collective bargaining agent? A. Yes. [3280]

* * * * *

Q. (By Mr. Berke): What union was it?

A. The AFL Teamsters, Cannery Workers Union. [3281]

* * * * *

EDNA ROSELLA HARDIN

a witness called by and on behalf of the Respondent, being first duly sworn, was examined and testified as follows:

Direct Examination

* * * * *

Q. (By Mr. Berke): What is your occupation?

A. Floorlady at Manzana's.

Q. And how long have you been floorlady at Manzana?

A. This is my second year with a one year intermission.

Q. In 1954 were you floorlady at Manzana?

A. No.

Q. Where did you work in 1954?

A. SAGU.

Q. What capacity? A. As floorlady.

Q. When did you commence working for SAGU at 1954? A. In the middle of July. [3303]

Q. And did you go to work then as a floorlady or in some other capacity? A. As floorlady.

Q. On what shift? A. The day shift.

Q. Did you work throughout the season, 1954?

A. At SAGU?

(Testimony of Edna Rosella Hardin.)

Q. Yes; except for two weeks but not a floorlady all the time.

Q. Up until when did you work as floorlady?

A. October 4th.

Q. Then what took place?

A. I went to the hospital and I was off a week and came back, and I was in the cannery office for three weeks. Then on the inspection table for five more and back I became ill, and I quit a week before the season ended.

Q. You say after you were out a week you came back and worked in the cannery office at SAGU?

A. Yes.

Q. Where is that office located?

A. It is upstairs in the Cannery Building, main building.

Q. Is that the office where Mr. Duckworth is located? A. Yes.

Q. And have you worked for Manzana Products all this season? A. Yes. [3304]

Q. In the capacity of floorlady? A. Yes.

Q. When did you become floorlady at Manzana?

A. The 1953 season.

Q. Had you worked for Manzana prior to 1953?

A. Yes, I had.

Q. For how long? A. Four or five years.

Q. In 1953 while you worked at Manzana as a floorlady, did they have a day and night crew?

A. They did.

Q. And did the night crew work throughout the entire season along with the day crew? [3305]

(Testimony of Edna Rosella Hardin.)

Trial Examiner: I will permit the question.

Q. (By Mr. Berke): First let me ask you, before you answer that question, is Manzana a cannery?

A. Cannery and dryer.

Q. What do they can? A. Applesauce.

Q. In 1953 what did they can?

A. Applesauce.

Q. Will you answer the question as to whether the night crew, or the night shift in 1953 in the cannery worked throughout the same period as the day shift? [3306]

* * * * *

The Witness: No, it didn't.

Q. (By Mr. Berke): Which shift terminated first?

A. The night shift.

* * * * *

Q. (By Mr. Berke): How were the employees of the night shift notified that it was going to be terminated?

A. A notice was written on the blackboard that evening.

Q. By "that evening," are you referring to the same evening as the shift was to be terminated?

A. I am. [3307]

Q. Was there any prior notice given the employees, that is, before the evening when they were going to be terminated? A. No.

Q. Do you recall Mrs. Orice Storey?

A. Yes.

Q. Was she in the crew in 1954 at SAGU over which you were floorlady? A. She was.

(Testimony of Edna Rosella Hardin.)

Q. And do you recall her discharge on September 25? A. I do.

Q. What day of the week was that?

A. Saturday.

Q. Were you working an eight-hour day at that time?

A. On Saturdays we worked four hours.

Q. Had you had a conversation with Mrs. Storey that day? A. Yes.

Q. Did you have more than one conversation with her? A. Yes.

Q. How many, do you recall?

A. Two, I believe.

Q. When was the first conversation with her that day, approximately what time?

A. Somewhere around 11:00.

Q. And where did it take place?

A. At the trim table. [3308]

Mr. Karasick: This is on September 25?

Mr. Berke: Yes.

Q. (By Mr. Berke): Who was present in that conversation? A. She and I.

Q. And what was she doing at the trim table at the time? A. Trimming apples.

Q. Will you tell us what was said, please?

A. She said she had a headache and would like some tablets for it and I told her I would go and get them.

Q. Did you get them? A. Yes.

Q. Did you give them to her? A. Yes.

(Testimony of Edna Rosella Hardin.)

Q. When is the next time you had a conversation with her?

A. Not too long after that; 15 minutes or so later, on my next tour.

Q. Your next what?

A. Tour of inspection when I came around.

Q. And where did that take place?

A. Same place, trim table.

Q. Who was present at that time?

A. She and I and the trimmers.

Q. By the "trimmers" you mean other trimmers? A. They were just standing there.

Q. They took part in the conversation? [3309]

A. Not in the conversation, no.

Q. What was said then, will you tell us, please?

A. She said the tablets didn't help and she would like to check out and go to the car.

Q. What did you say?

A. I told her she could.

Q. Was that the end of the conversation?

A. Yes.

Q. Did you see her at the trim table after that?

A. No.

Q. Did you see her again that morning?

A. Yes.

Q. Where did you next see her?

A. In front of the time clock, four or five feet from the time clock.

Q. Four or five feet from the time clock, in what direction? A. Straight out from it.

Q. Where was the time clock at the time?

(Testimony of Edna Rosella Hardin.)

A. On the back wall, below the lab.

Q. Where was the lab then?

A. Upstairs, right next to the cannery office.

Q. And you say she was four or five feet out from it? A. Yes.

Q. Well, what do you mean by that, out from it? Was she to the side or straight out or what? [3310]

A. Almost straight out from it.

Q. Were there any other people there with her?

A. Some were around her.

Q. And did you see Mr. Duckworth about that time? A. About that time.

Q. Did Mr. Duckworth talk with you?

A. Well, a few minutes later.

Q. Will you tell us where you talked with Mr. Duckworth?

A. Well, he was on the balcony, and he motioned for me to come up and I started up the stairs and he started down. He met me on the stairs and talked to me there.

Q. Who was present at that point?

A. Mr. Duckworth and I.

Q. Will you tell us what the conversation was?

A. He asked me if Mrs. Storey had checked out and to ask her to leave, and I told him I would check her card and I went down to the time clock then.

Q. And did you check her card?

A. I looked at her card, yes.

Q. And what did it indicate?

(Testimony of Edna Rosella Hardin.)

A. That she had checked out and I turned around to tell him so.

Q. Where was he at that time?

A. Right behind me.

Q. And did you tell him? [3311]

A. I told him she had checked out.

Q. Then what took place?

A. And he asked her to leave then.

Q. Did you hear the entire conversation between Mrs. Storey and Mr. Duckworth?

A. No; I didn't.

Q. What did you do?

A. I left. I was busy.

Q. Tell us whether or not, Mrs. Hardin, there was a rule with respect to standing or congregating in the cannery?

A. There was a rule that they weren't supposed to, before checking-in time.

Q. When did you learn about this rule?

A. A day or two after I started to work in July.

Q. And who told you about it?

A. Mr. Duckworth. [3312]

* * * * *

Q. (By Mr. Berke): Well, when Mr. Duckworth told you about the rule, when you started to work back in July of 1954, what did he say to you?

Mr. Karasick: Object to that.

Trial Examiner: Overruled.

The Witness: He didn't want people around because the tow motor was going back and forth, fork-lift.

(Testimony of Edna Rosella Hardin.)

Q. (By Mr. Berke): Is there anything else he said to you about that?

A. They were lifting the bells and he was afraid someone might get hurt.

Q. Mrs. Hardin, did you at any time threaten or warn employees about joining or assisting the Teamsters Union or any union?

A. No; I didn't. [3313]

* * * * *

Q. (By Mr. Berke): Did you, in the latter part of July or the early part of August, 1954, or at any other time, warn and threaten employees with loss of employment or employment benefits if they joined or assisted Local 980 or any other union?

A. No.

Mr. Karasick: I object.

Trial Examiner: Overruled.

Q. (By Mr. Berke): Mrs. Hardin, did you between September 24, 1954 and October 19, 1954, or at any other time, threaten and warn employees that they would be discharged if they joined or assisted Local 980 or another union, any other union? A. No.

* * * * *

Q. (By Mr. Berke): Mrs. Hardin, Mrs. Storey testified in the [3314] proceedings before the Trial Examiner here that about six weeks before September 25, you saw Marjorie Bird's dolls made out of apples and said, "Marjorie makes the prettiest dolls of all."

(Testimony of Edna Rosella Hardin.)

Did any such thing take place and did you make any such statement? A. No.

Q. Lila Lyman testified here that in the latter part of September you told her she made a very pretty apple doll. Did you tell Mrs. Lyman that?

A. No.

Q. Did you see any apple doll made by her?

A. No.

Q. Marjorie Bird testified in this proceeding that she decorated apples all the time; that you more—all the time that she was at SAGU, and that you more than once said they were cute.

Q. Did you ever say that to her? A. No.

Q. Did you ever see any apples that Marjorie Bird decorated? A. No.

Q. Marjorie Bird also testified that Mrs. Storey made a square apple and you went around with it. Did you see a square apple made by Mrs. Storey?

A. I don't recall.

Q. Did you go around with an apple made by Mrs. Storey made into a square? [3315]

A. No.

Q. Have you ever gone around with an apple among the girls in the plant when you worked there last year? A. Yes.

Q. What kind of an apple was that?

A. One that was improperly trimmed.

Q. And what was your purpose in going around?

A. To ask them to remove the blossom end or rot, or whatever had been forgotten to have been removed.

(Testimony of Edna Rosella Hardin.)

Q. Do you know a Joan Schwartz who, at the time she worked at SAGU, was known as Joanne Chames? A. Yes.

Q. She testified here that she asked you if Mrs. Storey was fired and you said yes, they couldn't have that kind of people around talking about the union.

Did you ever tell Mrs. Chames that?

A. No.

Q. Or Miss Chames that? A. No.

Q. Did you have a conversation with Miss Chames concerning Mrs. Storey? A. Yes.

Q. And when did that take place?

A. Just after quitting time, September 25.

Q. And where did it take place? [3316]

A. At the clock.

Q. Who was present at the time?

A. Joanne Chames, Eloyce McPhee and myself.

Q. And what were you doing at the time?

A. I was checking the time cards.

Q. Just the three of you present? A. Yes.

Q. Will you tell us what was said, please?

A. Joanne asked me if Mrs. Storey was fired and I told her she must be because her time card was missing.

Q. Was there anything else said?

A. When Joanne kept talking, I was busy and wasn't paying too much attention to her.

Q. Did you say anything more?

A. Not that I recall.

Q. Did you ever talk with Mrs. or Miss Chames

(Testimony of Edna Rosella Hardin.)

—I guess it is Miss Chames, about the union on any other occasion? A. Yes.

Q. Do you recall about when?

A. In the first part of September, I believe.

Q. And where did that take place?

A. At the trim table.

Q. Who was present at the time?

A. She and I. [3317]

Q. And will you tell us what the conversation was?

A. She asked me if I thought the union would get in and I told her I hoped not.

Q. What were you doing at the trim table at that time?

A. Sometimes I was helping to relieve at recess time, and Joanne used to work with me and sometimes I was just making my tour of inspection to see that everyone was trimming the way they should.

Q. On this particular occasion do you recall what you were doing?

A. I believe I was helping trim.

Q. Who opened the conversation about the union? A. Joanne.

Q. And is that all that was said?

A. She asked me about it and I told her why I didn't think it would help them.

Q. What did you tell her?

A. I told her I didn't think in seasonal work that the employees would be benefited by the union,

(Testimony of Edna Rosella Hardin.)

that with the additional dues and initiation, I didn't think they would be helped out at all.

Q. Is that all the conversation between you?

A. Yes.

Q. Do you know a Gertrude Jones?

A. Yes. [3318]

Q. Who was she? A. She was a trimmer.

Q. Where did she work? A. At SAGU.

Q. What shift? A. Day shift.

Q. Did you have a conversation with her about the union? A. Yes.

Q. When did that conversation take place?

A. Middle of September.

Q. And where did it take place?

A. At the trim table.

Q. Who was present at the time?

A. She and I.

Q. And do you recall what you were doing at the trim table then?

A. I was coming by, inspecting them, telling the ones that go out for recess.

Q. About what time was this?

A. In the morning.

Q. Will you tell us the conversation, please?

A. She asked me about signing the pledge card and she said she hadn't yet and if the union got in, she didn't want to be without a job, so I told her if she wanted to sign a pledge card that it was entirely up to her, that she could go ahead [3319] and do so if that is what she wanted.

Q. Was there anything more said between you?

(Testimony of Edna Rosella Hardin.)

A. No.

* * * * *

Q. (By Mr. Berke): Did you know Mr. Storey?

A. Yes.

Q. Where did he work last year?

A. At SAGU.

Q. In what capacity? A. Dumper.

Q. And where was his position or station as a dumper?

A. At the grater, just outside the cannery door.

Q. Were there any women that worked out there that were under your supervision?

A. Yes. [3320]

Q. What did they do? A. Sorted apples.

Q. Did you during 1954 have occasion to talk to the women that worked under you about the way they were sorting apples? A. Yes.

Q. When did you have occasion to do that?

A. The first part of August.

Q. Can you be a little more specific? What do you mean by the first part of August?

A. First week or so of August.

Q. Do you recall who was working out there among the girls at the time?

A. Well, Georgia Howes, and I don't recall the woman's name that came over from the packing house with her, and I believe Mrs. Pinkston and her daughter.

Q. And was Mr. Storey working there at the time? A. Yes.

Q. Were those the people that were present at

(Testimony of Edna Rosella Hardin.)

the time you talked to them about the way the sorting was being done? A. I think so. [3321]

* * * * *

Q. (By Mr. Berke): What did you say or what was said?

A. I went out and asked them why they weren't getting out more of the worms that were in the bad apples, that they weren't getting out nearly enough.

Q. Go ahead.

A. And the girls said they couldn't get out any more than they were because Mr. Storey was dumping too fast for them.

Q. Did you observe how he dumped?

A. Yes.

Q. And what did you see?

A. That he dumped faster than the girls could pick out the bad apples.

Q. Were these girls, from your observation, working slowly or were they working as they should be working? [3322]

* * * * *

The Witness: That they were working quite rapidly.

Q. (By Mr. Berke): Did you take that subject up with anyone concerning Mr. Storey's dumping of the apples? A. With Mr. Duckworth.

Q. When did you do that?

A. Later the same day.

Q. Did you have another occasion to be concerned with Mr. Storey's dumping of apples during the 1954 season? A. Yes.

(Testimony of Edna Rosella Hardin.)

Q. About when was that?

A. In mid-September or a little bit after the middle of September.

Q. And were any of the women under your supervision working out there near the dumping station? A. Yes.

Q. Who were they, if you recall?

A. Georgia Howes was still out there, but I don't recall who the others were because they came and went; different ones were put out there.

Q. What did Georgia Howes do out there at that time?

A. She was taking penetrometer readings.

Q. And what was the problem at that time?

A. That Mr. Storey was tossing his boxes and that they were coming close to the girls and one of them had got her legs scratched by a box. [3323]

Q. Did you observe the manner in which Mr. Storey was handling the boxes at that time?

A. Yes.

Q. What did you say?

A. That he would give the box a toss.

Q. Give what?

A. The box a toss and that it would tumble down near the girls or wherever it happened to land.

Q. Were these empty or full boxes?

A. Empty boxes.

Q. What sort of boxes were these, do you remember?

A. I believe they are called L. A. lugs.

(Testimony of Edna Rosella Hardin.)

Q. And what was he supposed to do with the boxes, to your knowledge? A. Put them down.

Q. Put them down where?

A. To the side of him, to be taken away on a little hand truck.

Q. Were they to be put down in any particular manner? A. I don't know.

Q. Did you take up the matter of his handling the boxes with anyone? A. Yes.

Q. With whom? A. Mr. Duckworth.

Q. When did you do that? [3324]

A. That day. [3325]

* * * * *

Cross Examination * * * * *

Q. (By Mr. Karasick): While you were floor-lady during the last season at SAGU, you saw apples that were decorated from time to time, did you not? A. A few, yes. [3326]

* * * * *

Q. This wasn't uncommon for the women occasionally to decorate an apple when there would be a break down in machinery or maybe a lull in some other break, was it?

A. I never noticed them often, no.

Q. But it wasn't unusual?

A. Well, three or four throughout the season is about all I ever noticed.

* * * * *

Q. You never discharged any employee for decorating an apple? [3327] A. No.

Q. Or for plugging an apple?

(Testimony of Edna Rosella Hardin.)

A. To my knowledge, I never saw any plugged apples. [3328]

* * * * *

Q. Do you remember some employees by the name of Fanny Garrison? A. Yes.

Q. And Gloria Pate? A. Yes.

Q. Gloria Lindsay? A. Yes.

Q. And do you remember that when the talk first started, you discovered these three employees were agitators for the union? A. Yes.

Q. And you talked to Mr. Duckworth about it and you told him? A. Yes.

Q. And that was about the time it started out there, the [3330] latter part of July or early August? A. Yes.

Q. Do you remember when it was more exactly, the date? A. I don't remember the date.

Q. And Ella Herrerias was a floorlady on the night shift? A. Yes.

Q. And do you remember her telling you that she had got rid of some employees on the night shift who were agitators for the union?

A. Yes.

Q. And do you remember their names?

A. Sarah Lindsey.

Q. Who else?

A. Her daughter-in-law, and I don't know the other woman's name.

Trial Examiner: Whose daughter-in-law?

The Witness: Sarah Lindsey.

(Testimony of Edna Rosella Hardin.)

Q. (By Mr. Karasick): Then the daughter's name was Lindsey too?

A. Yes. I think her first name is Dolores, but I am not sure.

Q. And do you remember the other girl's name?

A. No.

Q. When was it that Ella told you this?

A. On the phone; she phoned me after she had laid them off.

Q. And do you remember when that was? [3331]

A. In September, I do believe, middle of September. [3332]

* * * * *

Q. Do you remember a number of the employees expressing confusion as to whether they should go back and work on the day shift or whether they shouldn't that night?

A. The day shift was over.

Q. The night shift. Do you remember a number of the employees on the night shift saying they didn't know whether they should go back to work or not? [3346]

A. No.

Q. You didn't hear any discussion at all about employees that night?

A. No.

* * * * *

Q. And after it was over you went out and these employees gathered in various groups and some of them went away and some didn't, right?

A. I didn't see them.

Q. What did you do?

A. I went into the cannery.

(Testimony of Edna Rosella Hardin.)

Q. And what did you do then?

A. Went to receive the caps and gloves, aprons.

Q. Turning in your——

A. Those that were returning theirs and I was to give them their slips.

Q. And at the meeting the employees were told that those who were laid off could return their caps and aprons and get a refund for the deposit; is that right? A. Yes.

Q. And you did that, along with the others?

A. Yes. [3347]

* * * * *

Redirect Examination * * * * *

Q. (By Mr. Berke): Referring now to the question Mr. Karasick asked you about a telephone call or conversation with Mrs. Herrerias concerning three people who were laid off? A. Yes.

Q. Did you say anything to Mrs. Herrerias at that time? A. Yes.

Mr. Karasick: Object. [3348]

Trial Examiner: Overruled.

Q. (By Mr. Berke): What did you say?

A. That I had been told by Mr. Duckworth not to lay off anyone that was in sympathy with the union.

Q. You say that Steve Struempf gave you orders, Mrs. Hardin? [3349]

* * * * *

Recross Examination * * * * *

Q. (By Mr. Karasick): Some employees would

(Testimony of Edna Rosella Hardin.)

work for a while, would leave, would come back and work again, wouldn't they, during the season?

A. A few of them.

Q. And this made no difference to you if they were good employees or otherwise, you would take them back and put them on and let them work?

A. If they were gone over three days we turned their time cards in and they no longer had a job if they wouldn't notify us as to a reason.

Q. And if they came back later and asked you for a job and they were good employees you might put them back? [3354]

A. I had no occasion to do so. [3355]

* * * * *

Q. (By Trial Examiner): Well, did I understand from your last answer that employees might be out 3 or more days, then come back later and tell you why they had been out?

A. They would or were to tell us before the three days were up, because they all understood that if they were out three days they no longer had a time card, that we would take the time card out of the rack and turn it in at the office. [3356]

* * * * *

Q. (By Trial Examiner): Do you remember an occasion not long after the union started to organize at SAGU last year when Mrs. Storey invited you to attend a union meeting? A. Yes.

Q. Do you remember the date?

A. No; not the date.

(Testimony of Edna Rosella Hardin.)

Q. Do you remember where Mrs. Storey was working at that time?

A. She was grading apples, sorting apples at the time.

Q. Out in that same line?

A. Yes; with her husband at that time.

Q. So she was one of the women who was in that group that had complained about Mr. Storey's working too fast?

A. She never complained when she was out there.

Q. Were the others who did complain there at that time? [3359]

A. I don't know. They weren't working at the time she asked me about the union meeting, but she was out there. That is where I was when she talked to me.

Q. What I am trying to get at is this: Was the complaint that was made about Mr. Storey made about him at the time when Mrs. Storey was out grading? A. No.

Mr. Berke: I didn't understand that Mrs. Storey was grading.

The Witness: Sorting. She worked out there occasionally at the grader.

Q. (By Trial Examiner): Was it before or after she was out there?

A. Both. The first complaint was before she was out there, and the later complaint after she had worked in at the trim table.

(Testimony of Edna Rosella Hardin.)

Q. Do you remember when she was put out there the first time?

A. No. We had girls come over from the packing house that were, you might say loaned to us, and they were out there and she worked out there for a while and because she was a fast trimmer, we had her work inside trimming apples.

Q. Was it near the beginning of the season that she was put out there? A. Yes. [3360]

Q. And then she was brought in?

A. Brought inside.

Q. And she was never put outside again?

A. Only when we needed her, if I was short.

* * * * *

Q. And there was a whistle blown at the beginning and end of the lunch hour; is that right?

A. Yes.

Q. Do you recall that for a while last season there was a short whistle or warning blown to tell people about 7 minutes, 5 or 7 minutes beforehand to tell them to get ready to punch timecards?

A. No. [3368]

* * * * *

Mr. Berke: I moved to strike from the Complaint in Paragraph 6 thereof, Sub-Paragraph 22, the allegation reading:

"Between October 9th and October 15, 1954"—the exact date being unknown—"Norman Daniel Schuster threatened and warned employees that the respondent would close down the plant and cease operations if they joined or assisted the union."

I made that motion on the ground there is no evidence to support that allegation.

Trial Examiner: Well, it is really a motion to dismiss rather than strike. [3370]

Mr. Berke: That is right.

Trial Examiner: I will grant the motion. [3371]

* * * * *

ELMO MARTINI

a witness called by and on behalf of the Respondent, having been previously duly sworn, was examined and testified as follows:

Direct Examination

Q. (By Mr. Berke): Mr. Martini, you have been previously sworn, so you understand you are still under oath? A. Yes.

Q. And you are the same Mr. Martini who previously identified himself as being manager of the Sebastopol Apple Growers Union?

A. That is right.

Q. I show you, Mr. Martini, General Counsel's Exhibit 26, which is in evidence as an application form used by SAGU this year. Is that the form that was used for all applicants for employment this year? A. Yes.

Q. When was that form put into use by SAGU?

A. Sometime in June. [3375]

Q. Of 1955? A. Yes.

Q. How did that form come to be adopted by SAGU?

A. Early in May we had an industry meeting,

(Testimony of Elmo Martini.)

and I recall that I mentioned to someone at the meeting there that I was about out of employment forms, and since they were so brief, I was going to see if I could find a new form that would be a little more complete.

Then I recall Mr. Butler of Speas Company mentioned that he had been using a form that he thought would be all right, and during another meeting, I think probably later on in the month, the early part of June, Mr. Caldwell was there and he told me that they had kind of a form there that they used generally throughout the industry, and shortly thereafter I was either brought up a form or sent one and adopted it from that point.

Trial Examiner: You mean Mr. Caldwell gave you one?

The Witness: Yes; I don't recall whether he brought it up, Mr. Hemingway, or whether it was sent up to me. I don't recall that.

Q. (By Mr. Berke): To your knowledge, have other canneries in the Sebastopol area employed or used this form?

Mr. Karasick: Object; it is immaterial and irrelevant.

Trial Examiner: I am going to let it in. [3376]

The Witness: Yes; as far as I know, most of the industry is using that form.

* * * * *

Q. (By Mr. Berke): Do you know whether the Hallberg Canning Corporation is using that form?

A. Yes, they are.

(Testimony of Elmo Martini.)

Q. Do you know whether Sebastopol Co-op Cannery is using that form?

A. Yes; I am sure they are.

Q. And do you know whether Silvera & O'Connell are using that form?

A. Yes; I am positive they are using it.

Q. Do you know whether Manzana Products, Inc., is using that form?

A. I am not sure whether they are or not, but they were at the meeting when the form was adopted. I don't know whether they are, though.

Q. Can you of your own knowledge tell us of any others that [3377] you know of that are using that form?

A. I know that our Pleasant Hill Dryer is using it, and I believe the Barlow Company is using it, and Speas Company.

Q. Mr. Martini, was there any discussion at this meeting where the form was discussed, or did you have any discussion with Mr. Caldwell in which the matter of using this form was discussed at which it was said by anyone that this form will be used for the purpose of trying to find out whether people belonged to any labor organization or not?

Mr. Karasick: I object on the ground it is leading and suggestive, among other reasons.

Trial Examiner: Overruled.

The Witness: No; there wasn't. [3378]

* * * * *

ELLA HERRERIAS

a witness called by and on behalf of the Respondent, having been previously duly sworn, was examined and testified as follows: [3396]

* * * * *

Direct Examination

Q. (By Mr. Berke): Mrs. Herrerias, you are still under oath from your previous appearance before the Trial Examiner? A. Yes.

Q. And you are the same Mrs. Herrerias who was identified here as having been the floorlady in 1954 at the Sebastopol Apple Growers Union?

A. Yes.

Q. Mrs. Herrerias, there was testimony offered here by a witness for the General Counsel that about three weeks before October 15, in the cannery, either during recess or 4:00 p.m., a number of employees were talking about the union and that you said at that time, "Don't get my girls excited or you will all get blackballed around here, and you will get laid off if you don't quit talking about the union."

Q. Did you say any such thing then or at any time?

A. I did not.

Q. There was also testimony by General Counsel's witness that several nights after that in the ladies' restroom at about 4:55 p.m., and there were others present, that you said, "If you don't quit talking about the union you will all get fired; wait until the union gets in here and if you think I am tough, wait until the union gets in here."

(Testimony of Ella Herrerias.)

Did you say any such thing?

A. Definitely not.

Q. Did any such occurrence take place? [3397]

A. Never.

Q. In the ladies' restroom or any other place?

A. No, sir.

Q. A witness for the General Counsel testified that you told her that a few were going to be kept on after October 15 because they had been there the longest.

Did you tell anyone that?

A. No, sir.

Q. Did you tell any employee that?

A. No, sir.

Q. At any time prior to October 15?

A. No, sir, because I didn't know anything about it.

Q. Did you make any such statement after October 15? A. No.

Q. Another witness for the General Counsel, Mary Ann Russell, testified that in a conversation during a break near the benches in front of the ladies' lounge, you said if any of them talked and signed pledge cards they would lose their jobs.

Q. Did you so state to anyone at that time or at any other time?

A. No, sir.

Q. The same witness testified that you said on the same occasion that if they attended union meetings there would be someone there from the company and they would come back and report those

(Testimony of Ella Herrerias.)

meetings and those at the meeting would lose their jobs. [3398]

Did you say that to Mary Ann Russell or anyone else on that occasion?

A. I have never spoken to that girl.

Q. Did you say that to anyone else other than Mary Ann Russell then or at any other time?

A. No, sir.

Q. Did you attend any union meetings?

A. Never.

Q. To your knowledge, did anyone representing management attend any of those union meetings?

A. No.

Q. Erma Bate testified here that about a week or ten days before the layoff that you told her and Ernestine Hack, or in the presence of Ernestine Hack, that if "this place goes union, we are going to close down; that already six weeks of apples have gone to the Co-op because of the union."

Did you say that to Erma Bate?

A. I definitely did not.

Q. Did you ever make a statement to anyone, whether it is Erma Bate, Ernestine Hack or anyone else?

A. No, sir.

Q. Were you told by anyone representing management that apples had gone to the Co-op because of the union?

A. No, sir. [3399]

Mr. Karasick: Just a moment; object and move to strike.

Trial Examiner: Overruled; denied.

Q. (By Mr. Berke): Erma Bate further testi-

(Testimony of Ella Herrerias.)

fied in this proceeding that a few days before the layoff—you remember the time of the layoff?

A. I do.

Q. She testified that a few days before the lay-off you told her you were making up a list and all those who would stick with you would be assured of jobs, "otherwise they would be blackballed from here down south."

Did you say any such thing?

A. I certainly did not.

Q. Whether to Erma Bate——

A. To nobody.

Q. Did you make such a list up?

A. No, sir, I didn't.

Q. Ernestine Hack testified that about in the middle of September you told her that there was some weeding out to be done. Did you make any such statement to her?

A. No; I don't recall making any statement like that; no, I don't.

Q. You don't recall or you didn't, which is it? I am not clear from your answer.

A. No; I am sure I didn't, because there was not reason for me to make a statement. [3400]

Q. Did you ever say that to anyone else, whether it was Ernestine Hack or someone else?

A. No, sir.

Q. Erma Bate further testified that on Saturday, October 16 at your home you asked her why she didn't come to the office and told her that her name was on the list, and you further said to her,

(Testimony of Ella Herrerias.)

“You could get me in a lot of trouble because I confided in you. Martini doesn’t trust you because your husband is a strong union man.”

Did you have any such conversation with Erma Bate on October 16 at your home?

A. We had no conversation of any description. She just came in, dropped the list. I asked her, “Would you have a cup of coffee,” because I was in the kitchen. She said, “No, I am in a hurry,” and that was all that was said.

Q. Did you ever state that to her whether it was on Saturday, October 16 at your home or elsewhere? A. No.

Q. By the way, Mrs. Herrerias, was, to your knowledge, Erma Bate heavier in weight than she is at the present time? A. Oh, yes. [3401]

* * * * *

Q. Under what—did you know what her approximate weight had been in 1954?

A. Well, I would guess between 190, 200, somewhere around there.

Q. And she has since, to your knowledge, lost considerable weight, has she?

A. She told me herself she had lost 80 pounds.

* * * * *

Q. (By Mr. Berke): Mrs. Bate further testified here that a few days after October 18 you told her there was still some union people in there, “and I intend to get rid of these troublemakers too.”

Did you ever tell her that?

(Testimony of Ella Herrerias.)

A. No, sir; I did not.

Q. Did you ever tell her anything that would indicate to her that you were trying to convey to her that you were going to get rid of them? [3403]

A. No.

* * * * *

Q. Pauline Ploxa testified about two or three weeks after going to work for SAGU, she telephoned you to inquire if there was going to be trouble about the union at the cannery?

Was there such a call?

A. She phoned to tell me that she would not be at work, that [3404] she couldn't come to work, nor Mrs. Rawls. There was nothing——

Q. Mrs. who?

A. Rawls, I believe. They wouldn't be to work, and so I told her it was perfectly all right, and I thanked her for the phone call. Then as I was about to hang the receiver, she said to me, "I have something I want to tell you." I said, "What is it?" And then she spoke to me about this Mary Seidel.

Q. What did she say?

A. She told me that she had come from the Co-op and to be on the lookout for her, that she was a troublemaker. I told her I didn't know who Mary Seidel was; I had no idea who she was. So she proceeded to describe her to me and told me that she was very strong union and to be very careful of her. I told her that I wasn't interested; the woman was doing her work and I didn't know any-

(Testimony of Ella Herrerias.)

thing about her, and as long as she was doing the work it didn't make any difference to me.

* * * * *

Q. Pauline Ploxa further testified that in the course of that conversation you said to her, "It is best to keep away from union meetings because Mr. Martini is going to shut this place down if you go to meetings." A. No, sir.

Q. Did you ever tell her that? [3405]

A. No, sir; I didn't.

Q. Whether it was in a phone conversation?

A. No, sir.

Q. Or face to face or otherwise?

A. No, sir.

* * * * *

Q. (By Mr. Berke): She testified that on that occasion, on Tuesday, October 12, while she was on the slicing machine, you asked her in Spanish if she would go to a union meeting tomorrow and tell you who from the plant would be there. [3406]

She further said that she replied she wanted to know what you were going to do if she told you, and you said you would give the list to Martini and he would fire them.

And then Pauline said she told you she didn't know the names of the women and you said, "You go and take notice of who is there and come back and point them out to me."

Did you have such a conversation with her in Spanish on that occasion?

A. No. What took——

(Testimony of Ella Herrerias.)

Q. Wait a minute before you get to that. Did you have such a conversation with her on that occasion in English?

A. Yes. I made my rounds, as I started to say, as I usually do. She was at the slicing machine and she was sitting there staring off into space, and I just approached her like I do all the ladies, and I just said to her, "What is new," or "What is on your mind," or something like that.

She turned around and said to me, "I was just thinking." She said, "I don't know, there is a meeting tomorrow night,"—or "tomorrow," I don't remember which—but, "There is a meeting tomorrow; I don't know if I should go or not," and I said, "Well, why not?" "Well," she said, "I don't know. On second thought I believe I will go." She said, "I will see who is there and I will let you know."

Q. And what did you say?

A. I said, "I am not interested," and that was all the conversation. [3407]

Q. Did she let you know?

A. I don't know if it was a day or two, I did the same rounds and I happened to stop and talk to her and I happened to say to her, "What is new," like I do with all the ladies, and she in turn answered me in Spanish. She said, "Don't say anything because I don't want Mrs. Rawls to understand." I said, "I don't know what you are talking about."

Q. What was said?

(Testimony of Ella Herrerias.)

A. Nothing was said at all.

Q. Was that all? A. That is all.

Mr. Karasick: Will you mark that place in the record, please.

Q. (By Mr. Berke): Mrs. Ploxa further testified here that the next day—that is after this alleged conversation on Tuesday, the 12th, shortly after she came to work that you came to her at the slicing machine and asked her in English on that occasion to go to the ladies' room and she did not want to go. She said that 15 minutes later you came back and asked her again and she said to you then that they were too flooded with apples, but she would meet you in the ladies' room at 4:30 p.m.

Do you have any such—did you have any such conversation with her?

A. There was nothing to that at all. [3408]

Q. Did you make such a request of her?

A. No, sir; I never requested anything.

Q. She further testified that at 4:30 p.m. she met you in the ladies' room where a conversation took place in Spanish and that you asked her to tell her who was at the union meeting, and that she said she couldn't tell you and that you insisted and then went to the door of the restroom, opened it and said, "Now point out which ones." And she said she pointed to Clara Davello, and she said that Clara was there and that you then said, "I am not worried about her."

Was there any such conversation or any such occurrence?

(Testimony of Ella Herrerias.)

A. Never; nothing like that ever occurred.

Q. She further testified that on that same occasion in the ladies' restroom that Mary Chiquita went by and that Pauline said to you that she was there and you said this: "Oh, her, she is nothing."

Did any such occurrence take place?

A. Absolutely not. I don't even know Mary Chiquita. I don't know anything about that.

Q. Did any such occurrence take place?

A. No, sir. Mr. Berke, may I say something? I never spoke to that lady off the platform, only just what I have said here.

Q. What lady? A. Mrs. Ploxa. [3409]

Q. On the same occasion Pauline Ploxa further testified that you asked for more, and Pauline said, "There will be a man here tomorrow to pass out buttons and he will see you," and that you then patted her on the shoulder and told her, "Well, you don't have to worry, you and Dora will have a job at the company."

Did any such thing occur?

A. No, sir.

Q. Was there any such conversation?

A. Absolutely not because I knew absolutely nothing about buttons or anything else.

Q. Did she tell you anything about a man coming out? A. No, sir.

Q. And that there will be buttons passed out?

A. No.

Q. Whether it was on October 13 or any other day, did such an occurrence and such conversations

(Testimony of Ella Herrerias.)

take place between you and Pauline Ploxa in or near the ladies' dressing room? A. No, sir.

Q. Or restroom? A. No, sir.

Q. Mrs. Ploxa further testified that the next day after this alleged occurrence in the ladies' restroom, that you came up to the slicing machine and asked her and Dora Rawls where their union buttons were. [3410]

Did such an occurrence take place?

A. No, sir.

Q. Did you ever ask them about their union buttons? A. No.

Q. Or did you ever ask Ploxa and Rawls where their union buttons were?

A. I didn't, no, sir.

Q. Mrs. Ploxa further testified that a little while later on that occasion of the alleged inquiry as to their union buttons, that you were seen by her on the balcony in the cannery with a pad and pencil in your hand, that you were standing there with Mary McGuire and some man and that you were looking down at the women and writing, looking and writing, looking and writing.

Did any such thing take place?

A. No, sir.

Q. Did you make a note at any time of the women who were wearing union buttons?

A. No, sir.

Q. Did you have anyone else make a note for you of any of the women wearing union buttons?

A. No, sir. [3411]

(Testimony of Ella Herrerias.)

Cross Examination

* * * * *

Q. (By Trial Examiner): When you previously testified here you were asked about going to a party at the Chapman's, or somebody like that, on the evening of October 16; do you remember that?

A. Yes.

Q. Was that the correct name, Chapman?

A. Chapson, Chapman. I think it is C-h-a-p-m-a-n.

Q. I want to avoid any confusion. There were people employed at the plant named Chapman and Chapson. So I want to determine which one of the two it was.

A. I think it was Louise Chapson.

Q. Was it at her house? A. Yes. [3454]

Q. And if you said Chapman's house, then you meant Mr. Chapson's house?

A. Mr. Chapson's house, that is right.

* * * * *

Q. (By Mr. Karasick): Mrs. Herrerias, again I direct your attention to the party of Louise Chapson that you attended last season? [3455]

Just to get the record clear here, you did not attend any party last season at an Orlin Chapman's house, did you? A. No, sir.

Q. O-r-l-i-n Chapman?

Trial Examiner: That is the way it was spelled in the transcript, but on the exhibit it is Orland, O-r-l-a-n-d.

Q. (By Mr. Karasick): But you didn't attend

(Testimony of Ella Herrerias.)

a Mr. Chapman's house at a party last year at all, did you?

A. I don't know anybody by that name at all.

* * * * *

MARY CASTINO

a witness called by and on behalf of the General Counsel, National Labor Relations Board, being first duly sworn, was examined and testified as follows: [3482]

* * * * *

Direct Examination

Q. (By Mr. Karasick): Mrs. Castino, directing your attention to October 15, 1954, the day of the reduction to one shift at the SAGU plant last year, did you attend a meeting of the warehouse that day?

A. Yes, sir.

Q. Was anybody immediately with you attending with you?

A. Well, several women were with me.

Q. Who were they? A. One was——

Q. Who was near you at the time?

A. Gloria Pate.

Q. Anyone else?

A. Well, several other women. I just don't recall who they were, but a whole group of us came out of the cannery and into the warehouse.

Q. Was your name on the list for those to be retained?

A. Yes, sir.

Q. Did you hear Gloria Pate's name read?

A. Yes, sir, I did. [3483]

* * * * *

EDNA ROSELLA HARDIN

a witness called by and on behalf of the General Counsel, National Labor Relations Board, having been previously duly sworn, was examined and testified further as follows: [3526]

* * * * *

Direct Examination * * * * *

Q. (By Mr. Karasick): Do you recall that on one occasion last year, Mrs. Hardin, you fished a mouse out of the water that you had heard Mr. Bondi had placed in there from the outside?

A. I was told he had placed the mouse in there. I did fish a mouse out of the water that I was told Mr. Bondi had caught. [3529]

* * * * *

Q. (By Mr. Karasick): Do you recall testifying previously that when Ella told you about these three girls you told her that "you weren't supposed to fire union people"? A. Yes.

Q. And you recall that she told you that she didn't do that? A. Yes. [3530]

* * * * *

EUSEBIA CARRERA

a witness called by and on behalf of the General Counsel, National Labor Relations Board, being first duly sworn, was examined and testified as follows:

Trial Examiner: Will you state your name, please?

The Witness: Eusebia Carrera.

Direct Examination

* * * * *

Q. (By Mr. Karasick): Mrs. Carrera, did you work for Sebastopol Apple Growers Union last year? A. Yes.

Q. What was your job?

A. Peeler, trimming.

Q. And what shift? A. Night. [3536]

Q. Did you sign a union pledge card last year?

A. I voted for the union.

Q. You signed a pledge card? A. No.

Q. You didn't? A. No.

Q. Did you go to a meeting in the warehouse October 15, 1954 when they read a list of names of people to remain at work? A. Yes.

Q. Was your name read? A. Yes.

Q. Did you go back to work the next Monday, October 18? A. No.

Q. Did you work after that at all? A. No.

Q. Did you tell anybody to tell them at work that you were not coming back?

A. Yes; I told the lady.

Q. You told a lady to tell them?

(Testimony of Eusebia Carrera.)

A. Yes. [3537]

* * * * *

Q. (By Mr. Karasick): You didn't go back, you say, to work on the 18th? A. No.

Q. Why didn't you?

A. Because I had to stay home and take care of my children.

Q. When you worked on the night shift, who took care of the children? A. My husband.

Q. When did he work, day or night?

A. Days.

Q. So I understand the last time you worked at the plant was October 15, 1954? A. Yes.

Mr. Karasick: Your witness. [3538]

Cross Examination

* * * * *

Q. (By Trial Examiner): Did you actually work on the night of the 15th, Friday?

A. Yes; I worked that night because I had no way to come home.

Q. You worked until the end of the shift?

A. Yes.

Q. (By Mr. Berke): You went back to your job right after the meeting in the warehouse?

A. Yes.

Q. And finished that night?

A. Yes. [3539]

* * * * *

ERNESTINE ALBINI

a witness called by and on behalf of the General Counsel, National Labor Relations Board, having been previously duly sworn, was examined and testified as follows: [3574]

* * * * *

Direct Examination

Q. (By Mr. Karasick): Miss Albini, you testified previously that you worked in the office of the respondent Sebastopol Apple Growers Union?

A. Yes.

Q. Last year and part of this year; is that right?

A. Yes.

Q. While you were there last year, prior to the election, you were asked to type up a list of employees, were you not?

A. Yes, sir.

Q. I hand you General Counsel's Exhibit 36 and ask you if, after examining that list, it appears to you that was the list which you typed up?

Mr. Berke: Just a moment. I object to all this. This was gone into with this witness previously. It is improper rebuttal.

Mr. Karasick: This is preliminary.

Trial Examiner: I believe she testified to that.

Mr. Karasick: I know, but this is preliminary to the next [3575] question I am about to get to.

Trial Examiner: What is the answer?

The Witness: Yes.

Q. (By Mr. Karasick): I now hand you Respondent's Exhibit 13 and ask you to look at that carefully and tell the Examiner whether or not you ever saw that list before?

A. No, I did not.

(Testimony of Ernestine Albini.)

Q. Would you turn it over? There is some typing on the back side too. Were you ever given that list by Mr. McGuire to copy?

A. No; I never saw it before.

Mr. Karasick: Your witness.

Cross Examination

* * * * *

Q. (By Mr. Berke): Where did you type this list from, General Counsel's 36?

A. From the payroll records.

Q. So that you didn't copy it then from Respondent's 13? A. No. [3576]

* * * * *

Mr. Berke: Since Mr. Karasick asked Mr. Martini the other day to ascertain whether the figures in the letter of February 17, 1955 from Mr. McGuire to Mr. Caldwell with respect to fresh apples and processed in can, as the figures were given in tonnage in that letter, were correct. I have ascertained and I have given the information to Mr. Karasick off the record that the figure of total tons of apples processed in 1954—that is, fresh apples processed—were 4,648.18 tons, and total of apples processed in 1954, in cans, were 8,465.25 tons.

* * * * *

GEORGE SILVA

a witness called by and on behalf of the General Counsel, National Labor Relations Board, having been previously duly sworn, was examined and testified as follows: [3596]

Direct Examination

* * * * *

Q. (By Mr. Karasick): Now, Warehouse No. 5 the record shows was converted into a canned goods, insulated warehouse in 1954. What were the dimensions of that building?

A. That packing shed was about 80 or 85 by 200 feet.

Q. Now, in addition to that, there was a—there is a cannery warehouse on the premises, is that right, and was in '54? A. Yes.

Q. What were the dimensions of the cannery warehouse?

A. The cannery warehouse was 100 by 100 feet.

Q. Did that include the cannery itself?

A. No, the cannery was separate.

Q. What were the dimensions?

A. The cannery itself was 50 by 100.

Q. Now, what was the capacity of the cannery warehouse for storing canned goods?

A. About 114,000 cases.

Q. How did you figure that?

A. Well, by the rows, approximately 36 rows in the warehouse; they held 11 pallets deep, three high, 96 cases a pallet.

(Testimony of George Silva.)

Q. Now, was all of the space in the cannery warehouse used for storage?

Mr. Berke: When?

Q. (By Mr. Karasick): In 1953 while you were there and in part of 1954 that you were there?

A. No, not all of the space.

Q. Why not? Explain the situation to the Examiner with respect to the storage space available in the cannery warehouse?

A. Part of the space was used for equipment for casing and labeling canned goods, and there was also——

Q. Where was that; where did that run, that equipment?

A. It was on the north end of the building, run the 50-foot length, about 20 foot from the wall. It was built underneath the mezzanine floor—there is a mezzanine floor that runs along the north end of the building. [3599]

Q. Now, the mezzanine took up how much space?

A. It took up the north wall with the exception of a 12-foot aisle about 20 foot wide by—it would make it almost 100 feet long.

Q. And how wide was the mezzanine?

A. It was about 20 feet. [3600]

* * * * *

Q. (By Mr. Karasick): Mr. Silva, what would be the capacity of a warehouse 100 by 100?

Trial Examiner: 20 feet high.

The Witness: Well, I would have to figure that out.

(Testimony of George Silva.)

Q. (By Mr. Karasick): Do you want a pencil?

A. An area 100 by 100 would take 42 rows. About 139, 792 cases.

Mr. Berke: May I see how you arrive at that?

Q. (By Mr. Karasick): Would you explain for the record how you arrived at that figure?

Mr. Berke: I would like to look at that figure.

Q. (By Mr. Karasick): Explain for the record how you arrived at that figure?

A. In an area 100 by 100, in this particular case in this warehouse with a 12-foot corridor or aisle, would take 42 rows and each row takes 11 pallets long by three high by 96 cases per pallet.

Q. Okeh. That is the way you arrived at the figure?

A. (Nodding affirmatively.) I might be off.

Q. Was the Warehouse No. 5 20 feet high?

A. Yes. [3604]

Q. Is that the same height as the cannery warehouse?

A. Yes, the main floor itself was, yes.

Q. What about the cold storage? Were the rooms in there the same height?

A. Cold storage is the same, 20 foot, 100 by 100.

Q. Was there more than one room in the cold storage building?

A. Two rooms with 20-foot corridor.

Q. And how big were the rooms?

A. 100 by 100.

Q. Each? A. Each.

(Testimony of George Silva.)

Q. In 1953 did you make any changes in one of the cold storage rooms out there?

A. Yes. We installed a heater in order to use it for a canned goods warehouse.

Q. Now, who installed the heater out there?

A. I supervised the job. My mechanic done the actual work.

Q. And did you purchase the heater and supplies and materials for it?

A. Yes; it was my job.

Q. What was the total cost of that?

A. Well, labor and heater wouldn't run over a couple of hundred dollars.

Q. Now, how did you have this arranged? Was it a permanent installation, the heater had to stay there all of the time or [3605] what?

A. No, it was temporary. We had the heater hanging from the ceiling in the aisle so that it could be removed for cold storing apples.

Trial Examiner: Was that a gas heater?

The Witness: Gas heater, yes, sir.

Q. (By Mr. Karasick): What kind—what type, I mean? Blower type?

A. Blower type, yes.

Q. When was that heater installed, in 1953 or about when?

A. In December sometime; I don't recall the date.

Q. How long could apples be kept in cold storage for processing purposes?

A. I have kept them as long as three months on

(Testimony of George Silva.)

the Gravensteins; late apples could be—I held them a little longer.

Q. How much longer?

A. Oh, it was five, six months.

Q. Now, in 1951 do you know what the cannery warehouse facilities for canned goods were there at SAGU?

A. The cannery warehouse?

Q. No. Do you know what facilities they had in 1951 for storing canned goods?

A. Yes, we had the cannery warehouse, also packing sheds which we used for storing case goods. We used——

Q. This is '51? [3606]

A. Oh, '51?

Q. Yes.

A. '51, no, just the cannery warehouse is all they used; that was their first year.

Q. In '52 do you know what facilities they had and used for storing canned goods?

A. '52 we used the cannery warehouse, also the packing sheds at No. 1 and No. 2 in Sebastopol and No. 6 in SAGU.

Q. In 1953 what storage facilities were used?

A. '53 we used cannery warehouse, one room in the cold storage plant; we also stored case goods on the cold storage porch which was approximately 50 by 100 and also stored some case goods on the cannery porch in an area about 20 by 50, I would say.

Q. Well, what was the actual area of the cannery porch?

A. It is 20 by 150.

(Testimony of George Silva.)

Q. What is the actual area of the cold storage porch?

A. That is 50 by 220, I believe it is.

Q. Now, can you tell us how many cases were stored on each of those porches during 1953; let's take the cold storage porch first.

A. Cold storage porch, I believe we had around 70,000 cases stored in there.

Q. And on the cannery porch how many?

A. About 6,000.

Q. Now, how long did these canned goods remain stored out on [3607] the porches, to your knowledge?

A. Well, when I left there in May of 1954 there was still a few cases stored on the cold storage porch.

Q. In your experience out there during the course of the season did the apples come at the same rate, slower or faster than the cannery would process them?

A. Faster.

Q. And in 1952 and '53 was that true?

A. Yes.

Q. Did you have any apples stored outside during that period?

A. Yes, we had quite a tonnage stored in common storage outside and under the porches of the cold storage and the cannery.

Q. Now, you say "Common storage". What does that mean?

A. Common storage is anything stored without refrigeration.

(Testimony of George Silva.)

Q. What was the length of the time that these apples remained out there?

A. Oh, I have had them out there one to five weeks.

Q. Did anything happen to them?

A. Nothing that I would notice to them; they were processing apples.

Q. Did any of them get sunburned?

A. Yes, we had quite a few in that yard storage.

Q. What happened to those?

A. All of the top apples got sunburned.

Q. What—

A. They were processed and the sunburned was trimmed out. [3608]

Q. Was there any great loss?

A. Not a great loss, no.

Mr. Berke: I want to move that be stricken—"great loss". It is indefinite and vague.

Trial Examiner: I think you better make it more certain.

Q. (By Mr. Karasick): Can you indicate to the Examiner what sort of loss, if any, there was, in some terms that are convenient for you to articulate here for the record?

A. Well, they were peeled and—on the peeling machine—and what the peeling machine did not take off, of the sunburn, the trimmers did with their trimming knives.

Trial Examiner: Can you give any proportion of the apple that might have been removed that way that would not otherwise have been removed?

(Testimony of George Silva.)

The Witness: About one-sixth of the apple, I would say.

Q. (By Mr. Karasick): And this would be only the apples that were at the top of the boxes, you say?

A. Yes, those that were actually on top of the boxes, on top of the stack. [3609]

* * * * *

Cross Examination * * * * *

The Witness: The whole plant was insulated.

Q. (By Mr. Berke): As I understand it, you say that you kept apples—Gravenstein apples—for three months in cold storage, as long as that; is that correct? A. Yes, I have.

Q. Now, in order to keep them that length of time, wouldn't the condition of the apple when it is brought in to cold storage determine the length of time it could be kept? A. Yes. [3614]

Q. And you said you kept late apples for as long as five or six months. Now, isn't that equally true, that the condition of the apple would determine the length of time that you could keep it?

A. That is true.

Q. You were not at SAGU after May of 1954, were you? A. No, I was not employed there.

Q. Not employed after that time. And so then of course you did not see the condition of the apples out there during the season of 1954?

A. No, I did not see their apples in '54. [3615]

* * * * *

(Testimony of George Silva.)

Q. (By Mr. Berke): I say, since May of 1954 you have not been there; is that correct?

A. Not employed.

Q. That is right?

A. As an employee, no.

Q. So that you don't know what use they made throughout the 1954 season then of their cold storage facilities, do you, of your own personal knowledge?

A. No, I don't know how to take that. I know that the No. 5 shed was converted into a warehouse.

Q. Well, yes. That you have already testified to.

A. What they stored in there I don't actually know, no.

Q. You don't know what they stored in the other storage facilities that they had throughout the '54 season, of your own personal knowledge?

A. No, I wouldn't, not after May. [3623]

* * * * *

(Test)

The
would su

Q. (By
only the a
you say?

A. Yes, th
boxes, on top

* * * * *

Cross

The Witness:

Q. (By Mr. Be
say that you kept a
three months in col
that correct?

Q. Now, in orde to
time, wouldn't the ondition
is brought in to col storage
of time it could be rept?

Q. And you said you kept
long as five or six months. Now
true, that the condition of the app
mine the length of time that you

A. That is true.

Q. You were no at SAGU after W
were you? A. No, I was not emp

Q. Not employee after that time. And
of course you did not see the condition
apples out there during the season of 1954?

A. No, I did no see their apples in '54

* * * * *

GENERAL COUNSEL'S EXHIBIT No. 26

APPLICATION FOR EMPLOYMENT

(Title)

Date _____ 19__

Q. (Name)

(FIRST)

(LAST)

Social Security No.

Q. (Address)

Telephone Number

(CITY)

(STATE)

in which you reside

Q. (Married)

and married give maid name:

A. As an employee

Age:

8. Height:

9. Weight:

Q. So that

of eyes:

12. U. S. Military Service:

throughout the 1954 season, do you have access to the storage facilities, do you have edge?

☐

wid(er) ☐

divorced ☐

Parent

Others:

Salary expected: \$

Age: ☐

Own Accord: ☐

A. No, I don't know that the No. 5 shed was used

Partisment: ☐

Other: ☐

Live with Parents:

Q. Well, yes. That is to

Yes

No

From:

To:

Yes

No

A. What they stored in the shed, no.

Yes

No

Q. You don't know what other storage facilities had in the '54 season, of your own

Disposition:

No:

details:

A. No, I wouldn't, not at

* * * * *

OFFICIAL EXHIBIT No. 26

Disposition:

Identified	✓
Received	✓
Rejected	

Disposition

the Master of

Witness

Reporter

GENERAL COUNSEL'S EXHIBIT No. 19

United States of America

Before the National Labor Relations Board

Case No. 20-RC-2637

In the Matter of SEBASTOPOL APPLE GROWERS UNION, Employer, and GENERAL TRUCK DRIVERS, WAREHOUSEMEN AND HELPERS UNION, LOCAL No. 980, I.B.T.C.W. & H. OF AMERICA, A.F.L., Petitioner.

REPORT ON CHALLENGED BALLOTS

Pursuant to a Direction of Election of the National Labor Relations Board, hereinafter called the Board, an election by secret ballot was conducted on October 19, 1954, among certain employees of the Sebastopol Apple Growers Union. An official Tally of Ballots was served by registered mail upon each of the parties on October 20, 1954, in which the following results were shown:

Void ballots	0
Votes cast for Petitioner.....	27
Votes cast against participating labor organization	73
Valid votes counted.....	100
Challenged ballots	111
Valid votes counted plus challenged ballots....	211

No objections were filed to the election. The challenged ballots are sufficient in number to affect the results of the election.

Pursuant to Section 102.61 of the Board's Rules

General Counsel's Exhibit No. 19—(Continued)
and Regulations, Series 6, as amended, the undersigned has investigated the challenged ballots and hereby reports as follows:

On October 4, 1954 the Board directed an election amongst the employees in the unit found by the Board to be appropriate who were employed during the payroll period immediately preceding the Direction of Election, including employees who did not work during said payroll period because they were ill or on vacation or temporarily laid off, and employees in the military service of the United States who appear in person at the polls, but excluding those employees who have since quit or been discharged for cause and have not been rehired or reinstated prior to the date of the election. On the payroll of the period thus determined which ended on October 2, 1954, there were approximately 239 employees. On October 15, 1954, the Employer changed its operation from a two-shift to a single-shift basis. The eligibility list furnished by the Employer for use in the election conducted on October 19, 1954 listed 122 persons within the appropriate unit, employed prior to October 2, 1954, and still employed on October 19, 1954. Ballots were cast by 111 of these persons, six of which were challenged by the Petitioner and five by the Agent of the Board conducting the election.

In addition, 100 ballots were cast by voters whose names did not appear on the eligibility list, all of which were challenged by the Employer.

* * * * *

GENERAL COUNSEL'S EXHIBIT No. 25

[Letterhead of Sebastopol Apple Growers' Union]

October 14, 1954

To All Employees:

At a meeting of our Board of Directors last Tuesday night, October 12, 1954, I was directed to reduce our production staff to one shift. This decision was made for the reason that a survey shows that we have less than 250 tons of apples left to harvest and that many of these will be sold as fresh apples.

Our cannery shipments at the moment are far less than our production and since our warehouses are filled to capacity, we have no alternative in our decision.

In fairness to all of our employees, we have kept on our payroll those of you that had the earliest employment date.

This letter may be used as our certification that we have no further employment for you and that you are now unemployed through no fault of your own. Your checks will be in the mail to you this Saturday night.

On behalf of our management we wish to thank you for your loyal service.

Very truly yours,

Sebastopol Apple Growers' Union,
Elmo Martini,
General Manager.

GENERAL COUNSEL'S EXHIBIT No. 26

APPLICATION FOR EMPLOYMENT

Date 19

Full Name				Social Security No.	
(LAST)		(FIRST)		(MIDDLE)	
Address				Telephone Number	
(NO. 1)		(STREET)		(CITY) (ZONE) (STATE)	
How long have you been a resident of the city in which you reside?					
Sex:		S. If female and married give maiden name:			
(MALE - FEMALE)					
Date of birth:		7. Age:		8. Height:	
9. Weight:					
Color of hair:		11. Color of eyes:		12. U.S. Military Service:	
Check whether:		married <input type="checkbox"/>		single <input type="checkbox"/>	
widow(er) <input type="checkbox"/>		divorced <input type="checkbox"/>			
Number of dependents:		Children:		Parents:	
Others:					
For what position are you applying?				Salary expected: \$	
What prompted your application: (check)		Employment Agency: <input type="checkbox"/>		Own Accord: <input type="checkbox"/>	
Employee Referral: <input type="checkbox"/>		Name of Employee		Advertisement: <input type="checkbox"/>	
Other: <input type="checkbox"/>					
Do you:		Own Home:		Rent Home:	
Board:		Live with Parents:			
Have you ever been an employee of this Company under another name?				Yes No	
If "yes" give name and period of employment:				From: To:	
(NAME)					
Have you ever been involved in criminal proceedings under another name?				Yes No	
If "yes" state nature and disposition of case:					
Have you ever been arrested (other than traffic offenses)?				Yes No	
If "yes" give:		Date:		Place:	
Charge:		Disposition:			
Have you any physical defects or chronic ailments?				Yes: No:	
If "yes" give details:					
Have you ever had an industrial accident?		Yes: No:		If "yes" give details:	
Are you a citizen of the United States?		Yes: No:			
a. If "no" do you intend to become a citizen of the United States?				Yes:	
b. Have you filed your first papers?		Yes: No:			
c. Have you the right to remain permanently in the United States?				Yes: No:	
d. Have you ever been interned or arrested as an enemy alien?				Yes: No:	
Do you have any relatives already employed by this Company?				Yes: No:	
If "yes" give name and relationship:		Name:		Relationship:	
To what Trade, Professional or other organizations are you a member?					
(DO NOT NAME ANY ORGANIZATION WHICH WOULD REVEAL YOUR RACE, RELIGION, COLOR OR ANCESTRAL ORIGIN.)					

OFFICIAL EXHIBIT No. 26
Classified by 2014-10-26
Disposition
Identified
Reviewed
Rejected
In the hands of
Witness
Reporter



General Counsel's Exhibit No. 26—(Continued)

26. Give name of your father, mother, wife (husband), and children:

NAME	ADDRESS (within U. S.)	RELATIONSHIP	DECEASED OR LIVING

27. EDUCATION

SCHOOL	YEARS ATTENDED	DATE LEFT	GRADUATED		NAME OF SCHOOL	MAJOR COURSE TAKEN	DEGREE
			YES	NO			
Grammar							
High School							
College							
Graduate Work							
Trade or Bus.							
Correspondence							

What foreign languages do you read, write or speak fluently?

28. EMPLOYMENT HISTORY

Give last three (3) Employers.

1. Name of last Employer:	Address:			Name of Boss:
From:	To:	Position:	Salary:	Reason for leaving:
2. Name of next previous Employer:	Address:			Name of Boss:
From:	To:	Position:	Salary:	Reason for leaving:
3. Name of next previous Employer:	Address:			Name of Boss:
From:	To:	Position:	Salary:	Reason for leaving:

29. REFERENCES
(Exclude Relatives or Former Employers)

NAME	ADDRESS	BUSINESS OR OCCUPATION

PLEASE READ CAREFULLY

In the event of my employment by the Company, I agree to abide by all present and subsequently issued rules of the Company.

I authorize all previous employers to furnish to _____ my record, reason for leaving, and all information they may have concerning me, and I hereby release them and _____ from all liability for any damage whatsoever arising therefrom. I also authorize investigation of all statements in this application.

I understand that, in the event of my employment by the Company, I shall be subject to dismissal if any of the information have given in this application is false or if I have failed to give any material information herein requested.

Applicant's signature _____



GENERAL COUNSEL'S EXHIBIT No. 28

Authorization for Representation Under the National Labor Relations Act
I, the undersigned, employee of



SEBASTOPOL APPLE GROWERS UNION CANNERY
COMPANY

SEBASTOPOL, CALIF.
ADDRESS

A. F. of L.

authorize General Truck Drivers and Helpers Union, Local No. 980, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, A. F. of L., to represent me in negotiations for better wages and working conditions.

This authorization supersedes any similar authority previously given to any person or organization.

My Signature ORICE STOREY

My Address 169 BURNETT AVE.

Social Security No. 54548 8414 Date of Birth JAN. 7, 1913

Date AUG. 4, 1954 Phone SEB. 2403 Book No. _____



GENERAL COUNSEL'S EXHIBIT No. 30

ERNEST VIEIRA, M. D.

203 BODEGA AVENUE
SEBASTOPOL, CALIFORNIA

8734

DATE Oct 27 1954

Mrs Orice Storey

Lived on Account Two Cds 50% 50% 100% 2 50% 100%

On full for off call, Sept 25, 1954

AMOUNT DUE \$ _____

AMOUNT DUE \$ _____

ERNEST VIEIRA, M. D.

BY E. Vieira M.D.

C



GENERAL COUNSEL'S EXHIBIT No. 32

[Handwritten note appearing on each page—"2-4-55. I received this list from Erma Bates. It was shown to Mr. Duckworth, Mrs. McGuire, Inez Brock, and one occasion it was on the table in the lab at the plant. (Signed) Ella Herrerias".]

Dorothy Offutt, Box 7, Cotati, California. Ph. Pet 5 4266.

Kathleen Hontar, 1453 Magnolia Ave., Petaluma, California. Ph 2 6861.

Ann Hance, 678 Petaluma Ave., Sebastopol, California.

Lula Gaither, Rte. 1, Box 183 C, Windsor, California. Ph. Santa Rosa 1772 ? 1.

Gertrude Scott, 631 23rd St., Oakland, California. Ph. 4-45291. 326 Roberts Ave., Santa Rosa, California. Ph. 9465.

Agnes Bosten, 321 Roberts Ave., Santa Rosa, California. Ph. 5081 W.

Dora Faye Bowden, 4297 Sunland Ave., Santa Rosa, California. Ph. 5686 R 3.

Minnie Nadyne Groom, Rte. 1, Box 184, Windsor, California. Ph. 58 Y 13.

Ellen Hontar, 1453 Magnolia Ave., Petaluma, California. Ph. 2 6861.

Irene Carol Johnsen, 16 Webster St., Petaluma, California. Ph. 2 4370.

Louise Neiman, 3750 Gravenstein Hiway North, Sebastopol, California.

Grace Kropper, 421 Sunset Ave., Sebastopol, California. Ph. 2594.

General Counsel's Exhibit No. 32—(Continued)

Violet C. Fenton, 207 Willow St., Santa Rosa, California. Ph. 3512 J.

Bernice Nunes, 5509 Bodega Rd., Sebastopol, California.

Evelyn Dahl, 5002 Sonoma Hiway, Santa Rosa, California. Ph. 5988 R 1.

Marceline L. Allen, 1015 Petaluma Hill Rd., Santa Rosa, California. Ph. 2101 W.

Eva Mae Antone, Rte. 1, Box 527, Cotati, California.

Lena C. Bourgeois, 4655 Stony Pt. Rd., Santa Rosa, California. Ph. 74 R 3.

Raymond Pannelli, P. O. Box 54, Occidental, California. Ph. Trinity 4 3351.

Mary Margaret May, 267 West Napa St., Sonoma, California., c/o 169 Burnett St., Sebastopol, California.

Marie L. Hyders, 343 Ragle Rd., Sebastopol, California.

Viola E. Krause, 624 Benjamin Rd., Santa Rosa, California.

Ruth Hanson, Rte. 1, Box 239, Windsor, California.

Mrs. Dora Albini, P. O. Box 32, Bodega, California. Ph. Bodega 3344.

Ernestine Albini, P. O. Box 32, Bodega, California. Ph. Bodega 3344.

Isabelle Amaral, P. O. Box 34, Cotati, California. Pet. 5 4571.

Nora Ames, 3526 Brooks Ave., Santa Rosa, California.

General Counsel's Exhibit No. 32—(Continued)

Lena Ameral, 103 Ripley Court, Santa Rosa, California. Ph. 1223 W.

Caroline Ray Anderson, 2727 Guerneville Rd., Santa Rosa, California.

Frederica M. Anderson, Rte. 1, Box 23, Fulton, California.

Karolina Awender, 1515 Wright Rd., Santa Rosa, California. Ph. 16 R 3.

Erma Bate, 1036 Santa Catalina, Santa Rosa, California.

Kathleen Bell, 840 Butler, Santa Rosa, California.

Joy M. Bertolucci, 265 Ely Rd., Petaluma, California.

Julia L. Bills, 3402 Dyer Ave., Sebastopol, California. Ph. 4556.

Ethel Blair, 1326 De Turk Ave., Santa Rosa, California. Ph. 1316 J.

Mamie Ilene Bond, 131 Leland St., Santa Rosa, California. Ph. 3049 J.

Bessie Brickner, 929 Sonoma Ave., Santa Rosa, California.

A. M. Bridges, 914 Leddy Ave., Santa Rosa, California.

Leona Bridges, 105 W. Oak Ave., Santa Rosa, California.

Zelma Brines, 4765 Montgomery Dr., Santa Rosa, California. Ph. 7172 R.

Nina Buhrman, 3602 Brooks Ave., Santa Rosa, California. Ph. 6323 R.

Margie Byrd, 1460 Bloomfield Rd., Sebastopol, California.

1214 *National Labor Relations Board vs.*

General Counsel's Exhibit No. 32—(Continued)

Rose Jiminez, 4886 Dupont Rd., Sebastopol, California.

Judith Johnson, 4044 Bennett Valley Rd., Santa Rosa, California. Ph. 5886 R 11.

Leonor Johnson, 1290 Lloyd Ave., Santa Rosa, California. Ph. 7215 R.

Gertrude Jones, 520 Du Franc Ave., Sebastopol, California.

Lila Layman, 3602 Brooks Ave., Santa Rosa, California. Ph. 6323 R.

Eva M. Lee, 833 Ripley, Santa Rosa, California.

Beulah Lindlay, 311 Olive St., Santa Rosa, California. Ph. 1644 W.

Edith M. Long, 1761 Gravenstein Hiway North, Sebastopol, California.

Leona Mendes, 902 San Domingo Dr., Santa Rosa, California. Ph. 7335 J.

Shirley A. Metcalf, 634 Pressley St., Santa Rosa, California. Ph. 1912.

Hazel Miller, 216½ Carrington St., Santa Rosa, California.

Bernice E. McAfee, 3615 Stony Point Rd., Santa Rosa, California. Ph. 3459 W.

Bobbie McBride, 1225 Hearn Ave., Santa Rosa, California. Ph. 7112 M.

Wanetta D. McBride, 1225 Hearn Ave., Santa Rosa, California. Ph. 7112 M.

Edna E. McCarl, 1053 Stevenson, Santa Rosa, California. Ph. 5850 M.

Ann L. McCracken, 5103 Sonoma Hiway, Santa Rosa, California. Ph. 73 R 1.

General Counsel's Exhibit No. 32—(Continued)

Elizabeth Nemeth, 3893 Pyle Ave., Santa Rosa, California.

Myrtle Partain, 217 Sunnyslope, Petaluma, California.

Gloria Lee Pate, 1255 McConnell, Santa Rosa, California. Ph. 678 W.

Norma Peterson, 225 Second St., Santa Rosa, California. Ph. 5547 R.

Grace Rosey, General Delivery, Napa, California.

Gertrude Reece, 2035 W. College Ave., Santa Rosa, California.

Richard L. Reynolds, 507 Robinson Rd., Sebastopol, California. Ph. 4414.

Lea Richards, 4801 Blank Rd., Sebastopol, California. Ph. 4549.

Cora Roberts, 105 W. Oak Ave., Santa Rosa, California.

Mrs. Eileen Rowland, 1123 Petaluma Hill Rd., Santa Rosa, California. Ph. 6517 W.

Margaret Rufino, 1680 Gravenstein Hiway North, Sebastopol, California. Ph. 7924.

Mary A. Russell, 104 9th St., Santa Rosa, California. Ph. 1839.

Marie S. Scheffler, 1077 Butler Ave., Santa Rosa, California. Ph. 7264 M.

Elizabeth Schoenthal, 1682 Peterson Lane, Santa Rosa, California.

Mrs. Janet C. Scott, 2734 Giffen Ave., Santa Rosa, California. Ph. 6692 M.

Ida Silva, 425 Bosley St., Santa Rosa, California. Ph. 8155 W.

General Counsel's Exhibit No. 32—(Continued)

Vitearia A. Shields, 4394 Price Ave., Santa Rosa, California.

C. E. Storey, 169 Burnett Ave., Sebastopol, California. Ph. 2403.

Orice Storey, 169 Burnett Ave., Sebastopol, California. Ph. 2403.

Rita Stumpf, 7810 Bohemian Hiway, Sebastopol, California. Ph. Trinity 4 3183.

Mary J. Sturm, 265 Ely Rd., Petaluma, California. Ph. 2 7021.

Mrs. Etta M. Urton, 3957 Golden Gate Ave., Santa Rosa, California. Ph. 6804 M.

Anna B. Vermulen, 2958 Pleasant Hill Rd., Sebastopol, California. Ph. 4374.

Amy Vernon, 917 Furlong Rd., Sebastopol, California.

Sadie A. Welch, 1295 Lloyd Ave., Santa Rosa, California. Ph. 7413 J.

Cora Whitt, 1801 Cooper Rd., Sebastopol, California. Ph. 2761.

Marcia D. Young, 735 Davis St., Santa Rosa, California. Ph. 8605.

Sebastopol Apple Growers Union 9/29/54 List

Marceline L. Allen, 1015 Petaluma Hill Rd., Santa Rosa, California. Ph. 2101 W.

Eva Mae Antone, Rte. 1, Box 527, Cotati, California.

Gladys M. Brown, 2940 Harrison Grade Rd., Sebastopol, California.

Mary Elois Caddel, 3060 Gravenstein Hiway So., Sebastopol, California. Ph. 2822.

General Counsel's Exhibit No. 32—(Continued)

Clara Davello, 339 Watertrough Rd., Sebastopol, California. Ph. 2394.

Charles Mendoza, P. O. Box 71, Graton, California.

Ada Mynock, 2064 Bodega Hiway, Sebastopol, California.

Eloyce McPhee, 1359 Sebastopol Rd., Santa Rosa, California. Ph. 7646 W.

Selma H. Nilme, 6121 Gravenstein Hiway So., Sebastopol, California.

Esther Pirolle, P. O. Box 174, Windsor, California.

Lorraine Pool, 739 First St., Santa Rosa, California. Ph. 8013 W.

Albert G. Rahm, General Delivery, Sebastopol, California.

Pauline Rocca, 1015 Petaluma Hill Rd., Santa Rosa, California. Ph. 2101 W.

Louise Rose Wilder, Rte. 1, Box 345, Cotati, California.

New List 10/10/54

Joan Chames, 4490 Arlington Ave., Santa Rosa, California.

Maria Wiedenmeyer, 980 Burbank Ave., Santa Rosa, California.

Pastora Hall, Rte. 1, Box 132, Cotati, California. Ph. 5 5063.

Alta Champman, 1565 Bohemian Hiway, Sebastopol, California.

Gloria Lindlay, 2700 Sonoma Hiway, Santa Rosa, California. Ph. 7623 W.

General Counsel's Exhibit No. 32—(Continued)

Hazel M. Jones, 2345 W. College, Santa Rosa, California. Ph. 91 R 11.

Forest Hughes Jr., 891 Colorado Blvd., Santa Rosa, California. Ph. 8687 W.

Ruth Albertoni, 1780 Burbank Ave., Santa Rosa, California. Ph. 5076 R.

O. Noury, 343 Ragle Rd., Sebastopol, California.

Elsie F. Floyd, 2385 San Miguel Ave., Santa Rosa, California.

Susie E. Coats, Windsor, California.

Lois A. Thornton, 5851 Redwood Hiway North, Santa Rosa, California. Ph. 176 R 1.

Elizabeth McHugh, 1217 College Ave., Santa Rosa, California.

Gotha M. Crump, Ph. 3659.

Jimmie Miller, 245 Brown St., Sebastopol, California. Ph. 3989.

Louise R. Wilder, Rte. 1, Box 345, Cotati, California.

Amy Vernon, 917 Furlong Rd., Sebastopol, California.

Pauline Rocca, 1015 Petaluma Hill Rd., Sebastopol, California. Ph. 2101 W.

Albert G. Rahm, General Delivery, Sebastopol, California.

Lorraine Pool, 739 1st St., Santa Rosa, California. Ph. 8013 W.

Gladys Brown, 2940 Harrison Grade Rd., Sebastopol, California.

Mary E. Caddel, 3060 Gravenstein Hiway South, Sebastopol, California. Ph. 2822.

General Counsel's Exhibit No. 32—(Continued)

Clara Davello, 339 Watertrough Rd., Sebastopol, California. Ph. 2394.

Ada Mynock, 2064 Bodega Hiway, Sebastopol, California.

Eloyce McPhee, 359 Sebastopol Rd., Santa Rosa, California. Ph. 7646 W.

Esther Pirolfe, P. O. Box 174, Windsor, California.

Muriel Curtis, 4398 Price Ave., Santa Rosa, California. Ph. 6825 W.

Selma H. Nelnie, 6121 Gravenstein Hiway So., Sebastopol, California.

Maurice Wilkerson, 640 North Gale Hill, Lindsay, California. Ph. 2 4337.

Ruth Lee Deal, 215 Boyce St., Santa Rosa, California. Ph. 3945 J.

Ruth Elizabeth Clark, 211 Olive St., Santa Rosa, California. Ph. 8599 W.

Harriet E. Cameron, 5465 Bohemian Hiway, Sebastopol, California.

Darlene Bennett, 100 Mark West Springs Rd., Santa Rosa, California. Ph. 8132.

Evelyn Cuttress, 362 East Oak Ave., Santa Rosa, California.

Karen Bomberger, 317 Yates Dr., Santa Rosa, California. Ph. 4915 J.

Anna Vogel, Box 56, Graton, California.

Vernie L. Short, 215 Boyce St., Santa Rosa, California.

GENERAL COUNSEL'S EXHIBIT No. 36

List of employees' names read by Mr. W. H. McGuire, October 15, 1954, who were to be retained for work.

Women

1, Albini, Dora; 2, Augustin, Elizabeth; 3, Bartlett, Marie; 4, Brennen, Ruth; 5, Brock, Inez; 6, Butler, Dolores; 7, Cassidy, Beulah; 8, Chapson, Louise; 9, Connors, Francis; 10, Elmore, Hazel.

11, Elvy, Cora; 12, Fishelson, Ida; 13, Thorp, Ilah; 14, Drake, Francis; 15, Herrerias, Ella; 16, Smoker, Helen; 17, Chicano, Virginia; 18, Freyling, Dolores; 19, Gulledge, Daisy; 10, Kounouvsky, Evelyn.

21, Wakeland, Geneva; 22, Hack, Ernestine; 23, Pesenti, Claudia; 24, McGuire, Mary; 25, Susoff, Ruth; 26, Armbrust, Joyce; 27, Veach, Shirley; 28, Rettela, Gertrude; 29, Frank, Charlotte; 30, Mahoney, Goldie.

31, Allen, Lois; 32, Loeffler, Sandra; 33, Ameral, Isabella; 34, Allman, Mildred; 35, Bertoli, Gere-line; 36, Bills, Julia; 37, Bertozzi, Eleanor; 38, Gust, Josephine; 39, Johnson, Melba; 40, Jacobus, Vita.

41, Bonar, Julia; 42, Brown, Gladys; 43, Cam-
erson, Harriet; 44, Castino, Mary; 45, Chames, Jo-
anne; 46, Carrera, Ensebia; 47, Chapman, Alta;
48, Deal, Ruth; 49, Cuttress, Evelyn; 50, Cuttress,
Valeria.

51, Davello, Clara; 52, Dickerson, Elsie; 53, Gale,
Maude; 54, Dewitt, Betty; 55, Gesek, Dorothy; 56,

General Counsel's Exhibit No. 36—(Continued)

Harris, Mary; 57, Jones, Gertrude; 58, McAfee, Bernice; 59, McDermott, Vita; 60, Mizell, Barbara.

61, Nemet, Elizabeth; 62, Niemi, Selma; 63, Noble, Mary; 64, Pate, Gloria; 65, Ploxa, Pauline; 66, Poncia, Anita; 67, Rawles, Dora; 68, Reece, Gertrude; 69, Reynolds, Rosette; 70, Caddel, Mary.

71, Schoenthal, Elizabeth; 72, Doty, Esther; 73, Howes, Georgia; 74, Elmore, Gene; 75, Jones, Connie; 76, Zimpher, Patricia; 77, Ziegenbein, Thelma; 78, Monroe, Betty; 79, Johnson, Willie.

Men

1, Poggi, Joseph Jr.; 2, Coppock, Irvin; 3, Garcia, Joe; 4, Jungers, Oscar; 5, Masuoka, Frank; 6, Oandason, Andy; 7, Papera, Oliver; 8, Struempf, Steve; 9, Tallman, Lester; 10, Tsurumoto, Georgia.

11, Elmore, Jean; 12, Loeffler, Carl; 13, Chicano, Salvador; 14, Foster, Herman; 15, Yeager, Kenneth; 16, Snodgrass, Bob; 17, Johnson, Raymond; 18, Crownover, Lee; 19, Hall, Sid; 20, Correria, Frank; 21, Gullledge, Lonzo; 22, Chapman, Orland; 23, Lewis, Victor; 24, Gullledge, Martin; 25, Jiminez, John; 26, Anderson, William; 27, Smith, Wayne; 28, Bennett, Lawrie; 29, Rodriquez, Ed; 30, Higgins, Edward (Jim).

31, Lee, Robert; 32, Todd, Gerald; 33, Penelli, Ray; 34, Falorni, Adolfo; 35, Festa, Enrico; 36, Wood, Robert; 37, Donner, George.

1222 *National Labor Relations Board vs.*

GENERAL COUNSEL'S EXHIBIT No. 37

Women production employees as of October 14, 1954:

Name	Date Hired	Shift
✓ Albertoni, Ruth	8- 9-54	N
Albini, Dora	7-15-54	D
Allen, Lois	9-13-54	N
Allen, Marceline	9-28-54	D
✓ Allman, Mildred	9- 2-54	N
Ameral, Isabele	7-16-54	D
Ameral, Lina	7- 9-54	D
Ames, Nora	8- 2-54	D
Anderson, Caroline	9-13-54	D
✓ Angle, Marvel	10- 5-54	D
✓ Antone, Bertha	10- 7-54	N
Antone, Eva	9-13-54	D
Armbrust, Joyce	7-20-54	N
Augustin, Elizabeth	7-16-54	N
Awender, Karolina	7-15-54	D
Azevedo, Virginia	10-11-54	D
✓ Baker, Bonnie	9-23-54	N
Bartlett, Marie	7-15-54	N
✓ Bartozzi, Eleanor	7-20-54	N
Bate, Erma	7-19-54	N
Bertoli, Gereline	8-24-54	N
Bills, Julia	7-21-54	D
Blair, Ethel	7-22-54	N
Bonar, Julia	7-20-54	N
Brennan, Ruth	7-20-54	N
✓ Brickner, Bessie	7-20-54	N
Bridges, Leona	8- 5-54	D
Bridges, Oma	7-28-54	D

General Counsel's Exhibit No. 37—(Continued)

	Name	Date Hired	Shift
	Brines, Zelma	7-17-54	D
	Brock, Inez	7-20-54	N
✓	Brott, Virginia	10- 8-54	N
	Brown, Gladys	7-19-54	D
	Browning, Billie	7-20-54	N
	Browning, Doris	7-20-54	N
✓	Buhrman, Nina	8- 2-54	D
	Butler, Dolores	7-20-54	N
	Byrd, Margie	7-16-54	D
	Caddel, Mary	9-13-54	N
	Cameron, Harriet	7-31-54	D
	Carrera, Eusebia	9-13-54	N
	Cassidy, Beulah	7-20-54	N
	Castino, Mary	7-28-54	D
	Chames, Joanne	7-26-54	D
✓	Chapman, Alta	8-25-54	D
	Chapson, Louise	7-20-54	N
	Chicano, Virginia	7-15-54	N
	Cihos, Mary	9- 8-54	D
	Clark, Ruth	7-17-54	D
	Coate, Natalie	9-10-54	D
✓	Coats, Susie	9-28-54	D
	Coffey, Marie	7-20-54	D
	Collins, Marie	9-28-54	D
	Conners, Frances	7-20-54	D
✓	Cooley, Elizabeth	10-11-54	N
	Crump, Gatha	10-14-54	D
✓	Cuttress, Evelyn	7-20-54	D
	Cuttress, Valeria	7-20-54	D

1224 *National Labor Relations Board vs.*

General Counsel's Exhibit No. 37—(Continued)

	Name	Date Hired	Shift
	Dahl, Evelyn	9-29-54	D
	Davello, Clara	8-27-54	N
✓	Davis, June	9-10-54	N
	Deal, Ruthie	8- 9-54	D
	DeWitt, Betty	9-27-54	N
	Dickerson, Elsie	7-19-54	D
	Doty, Esther	7- 6-54	D
	Drake, Frances	7-26-54	N
	Edwards, Helene	7-22-54	N
	Eilers, Myrtis	9- 7-54	D
	Ellis, Mary	9- 6-54	D
✓	Elmore, Jean	6- 7-54	D
	Elmore, Hazel	9-29-54	D
	Elvy, Cora	7-20-54	N
	Fenton, Violet	8-30-54	D
	Fishelson, Ida	7-20-54	N
✓	Fletcher, Esther	7-20-54	N
	Floyd, Elsie	9-18-54	D
	Frank, Charlotte	7-22-54	N
	Freyling, Delores	7-20-54	N
	Freyling, Marcia	7-22-54	N
✓	Gaither, Lula	7-20-54	N
	Gale, Maude	7-20-54	N
	Garrison, Fannie	7-15-54	D
✓	Geist, Josephine	10- 8-54	N
	Geseck, Dorothy	8-31-54	N
	Gulledge, Daisy	7-15-54	N
	Hack, Ernestine	7-19-54	N
	Hall, Pastoria	7-26-54	D
✓	Hance, Anna	7-22-54	D

General Counsel's Exhibit No. 37—(Continued)

Name	Date Hired	Shift
Hansen, Hazel	9-18-54	D
✓ Hanson, Ruth	8-18-54	N
Harris, Mary	8-19-54	N
Harrison, Lucille	9-29-54	D
Hayden, Rose	9- 7-54	D
Herrall, Gail	10-13-54	D
Hoffschneider, Elsie	9- 7-54	N
Hofland, Theresa	9-13-54	N
✓ Hontar, Ellen	8- 5-54	N
✓ Hontar, Kathleen	8- 5-54	N
Hope, Laura	10- 6-54	D
Hydera, Marie	8- 4-54	D
Jacobus, Vita	10-12-54	N
✓ Johnsen, Irene	8-25-54	N
Johnson, Leonor	7-23-54	D
Johnson, Melba	10- 9-54	N
Jones, Connie	10- 4-54	N
Jones, Gertrude	7-17-54	D
✓ King, Dolores	9-14-54	N
Kounovsky, Evelyn	7-15-54	N
Kruse, Viola	8- 7-54	D
Layman, Lila	8- 6-54	D
Lee, Eva	7-20-54	D
Lindley, Beulah	8-10-54	D
✓ Lindsay, Gloria	7-21-54	D
✓ Loeffler, Sandra	7-28-54	D
McAfee, Bernice	7-15-54	N
✓ McCarl, Edna	9- 6-54	D
McCarthy, Dora	9-29-54	D
McCullough, Alice	9-28-54	D

General Counsel's Exhibit No. 37—(Continued)

Name	Date Hired	Shift
McDermott, Vita	9-13-54	N
McHugh, Elizabeth	9-28-54	D
McGuire, Mary E.	7-19-54	N
McPhee, Eloyce	7-16-54	D
Mahoney, Goldie	7-22-54	N
Marguez, Mary	9-11-54	D
Maw, Goldie	9-28-54	D
May, Mary	8- 6-54	D
Mazzucchi, Nancy	9-14-54	N
Miller, Hazel	7-20-54	D
✓ Mizell, Barbara	8-31-54	D
✓ Monroe, Betty	10-12-54	N
✓ Morien, Norma	10- 7-54	N
Mynock, Ada	8-21-54	D
Napier, Renee	10- 1-54	N
Nelson, Irene	8-18-54	D
✓ Nemet, Elizabeth	7-16-54	D
Niemi, Selma	8-31-54	N
Noble, Mary	7-20-54	N
✓ Nunes, Bernice	7-31-54	N
Offut, Dorothy	7-16-54	D
Pate, Gloria	7-15-54	D
✓ Patterson, Marian	8- 4-54	D
Perry, Catherine	8- 2-54	N
Pesenti, Claudina	7-20-54	N
Peterson, Sylvia	7-19-54	N
Pirolle, Esther	7-21-54	N
✓ Ploxa, Pauline	9-13-54	N
Poncía, Anita	7-20-54	N
Pool, Lorraine	9-22-54	D

General Counsel's Exhibit No. 37—(Continued)

Name	Date Hired	Shift
Rawles, Dora	9-13-54	N
Rearden, Darlene	10-12-54	D
Reece, Gertrude	9-15-54	D
Rettela, Gertrude	7-22-54	N
Reynolds, Rosette	7-24-54	D
Roca, Pauline	9-28-54	D
Ross, Aloa	10- 2-54	D
✓ Row, Julia	7-22-54	
✓ Rufino, Margaret	7-20-54	N
✓ Runyon, Lillian	9- 3-54	N
Russell, Mary	7-24-54	D
Scheffler, Marie	7-16-54	D
Schoenthal, Elizabeth	7-17-54	D
✓ Schrum, Evelyn	8-23-54	N
Scott, Gertrude	8-24-54	D
✓ Scott, Merle	7-22-54	N
✓ Seidel, Mary	9-13-54	N
Shields, Viteria A.	7-16-54	D
✓ Smith, Jessie (Mrs.)	7-17-54	N
(Quit end of shift 10/15)		
Smoker, Helen	7-20-54	N
Souza, Mathilda	9-27-54	N
Susoeff, Ruth	7-19-54	N
Sweningson, Amy	10-4-54	D
Taber, Marion	9- 1-54	N
Tatum, Nancy	10-12-54	D
Thornton, Louis	10- 5-54	D
Thorp, Ilah	7-20-54	N
Tripp, Marie	9-10-54	D
Urton, Etta	7-20-54	D

General Counsel's Exhibit No. 37—(Continued)

	Name	Date Hired	Shift
	Veatch, Shirley	7-21-54	D
	Vernon, Amy	9-13-54	D
✓	Vessels, Stella	9-17-54	D
	Vogel, Anna	7-15-54	D
	Wakeland, Geneva	7-20-54	N
✓	Wasin, Edyth	8- 5-54	D
	Wilder, Louise	9-14-54	D
	Wilson, Edith	7-27-54	N
	Ziegenbein, Thelma	7-21-54	N
	Zimpher, Patricia	10- 6-54	N

GENERAL COUNSEL'S EXHIBIT No. 38

Men production employees as of October 14, 1954:

	Name	Date Hired	Shift
✓	Allman, Lyman	9- 1-54	N
	Anderson, William	9- 9-54	N
	Augustin, Willy	7-23-54	N
✓	Bate, John	9-14-54	N
	Bennett, Laurie	7-14-54	N
	Bertoni, Joe	9-28-54	N
✓	Breuer, Richard	9-28-54	N
✓	Browning, Doria*	7-20-54	N
	(*Crossed out in ink.)		
	Burger, George	9-21-54	D
	Chapman, Orland	7- 1-53	D
	Chicano, Salvador	7-19-54	N
	Coffey, John	7-19-54	D
	Coppock, Irvin	6-21-54	N
	Correia, Frank	7- 1-53	N

General Counsel's Exhibit No. 38—(Continued)

Name	Date Hired	Shift
Crownover, Lee	8-30-54	D
Darden, David	7-29-54	N
Davis, George	9-27-54	D
DeVilbiss, Robert	7-19-54	D
Donner, George	7-20-54	N
Duncan, Worthy	9-24-54	D
Elmore, Eugene	7-17-54	D
Falorni, Adolfo	8-16-54	D
Festa, Enrico	8-16-54	D
Foster, Herman	7-20-54	D
Foster, William	9-23-54	N
Fribourghouse, Ernest	7-13-54	N
Garcia, Jose	3-29-54	D
Gulledge, Alvin*	7-20-54	
(*Crossed out in ink.)		
Gulledge, Lonzo	5- 1-53	D
Gulledge, Martin	7-20-54	D
Hall, Sidney	8-31-54	D
Heflin, Arthur	10- 4-54	D
Higgins, Edward	9- 1-53	D
Jiminez, John	2-18-54	D
Johnson, Raymond	7-24-54	D
✓ Johnson, Willie	9-13-54	N
Jungers, Oscar	7-20-54	D
Kelleher, Gerald	8-27-54	N
Lee, Leonard	7-23-54	D
Lee, Robert	6-28-54	D
Lewis, Victor	9- 4-53	D
Loeffler, Carl	7-15-54	D
McCall, Harry	9-29-54	N

1230 *National Labor Relations Board vs.*

General Counsel's Exhibit No. 38—(Continued)

Name	Date Hired	Shift
Marra, Alvin	7-21-54	N
Masuoka, Frank	7- 8-54	D
Mills, Lloyd	10-11-54	D
Narron, Henry	7-8-54	N
Neel, Fay	6- 7-54	N
Orandason, Andy	5-24-54	N
Panelli, Ray	7-13-53	D
Papera, Oliver	4-19-54	D
Phillips, Richard	9-24-54	D
Poggi, Joseph Jr.	4-19-54	N
Pozzi, Charles	9-27-54	N
Rahm, Albert	6-21-54	N
Reynolds, Richard	8-11-54	N
Rodrigues, Edward	7-14-54	D
Rogers, Gerald	9-29-54	N
Smith, Jessie*	7-17-54	N
(*Crossed out in ink.)		
Smith, Joyce W.	7-17-54	N
Smith, Wayne	8- 7-54	D
Snodgress, Robert	5-10-54	D
Storey, Clarence	7-15-54	D
Sweningson, Rudolph	10- 4-54	D
Tallman, Lester	1952	D
Todd, Gerald	8-21-54	D
Tsurumoto, George	7-15-53	N
Unciano, Froilan	8-24-54	D
Weare, William	7-20-54	D
Wood, Robert	7-20-54	N
Yeager, Kenneth A.	9- 2-54	D

GENERAL COUNSEL'S EXHIBIT No. 39

I, Leonard J. Duckworth, 478 Elphick Road, Sebastopol, California, Telephone No. Sebastopol 4381, being duly sworn, depose and state as follows:

I first began to work for Sebastopol Apple Growers Union on or about July 1, 1952, as a chemist and a cannery foreman, and remained in that position until July 1954, with the exception of a period of six months, from September 1953 to April 1954, when I left and went to work as a technician at Santa Rosa Memorial Hospital in Santa Rosa. I have been cannery superintendent at Sebastopol Apple Growers Union since the latter part of July 1954. Mr. McGuire's following statement of the supervisors of Sebastopol Apple Growers Union is correct:

Elmo Martini, General Manager.

William McGuire, Sales Manager.

Errol Wilson, Accountant and Traffic.

Louis Turnage, Manager of Packinghouse.

Leonard Duckworth, Superintendent of Cannery.

Charles Williams, Cannery Foreman.

Ella Herrerias, Cannery Floorlady (night shift).

Edna Hardin, Cannery Floorlady (day shift).

John Aguire, Warehouse Foreman.

Danny Shuster, Assistant Warehouse Foreman.

I do not know whether Steve Stumpf should be regarded as a supervisor, but a description of his duties is as follows: Stumpf is chief mechanic and works together with Joe Poggi, Oliver Paperra, Raymond Johnson, and Sid Hall, mechanics' helpers, and Bod Snodgrass, mechanic. Stumpf receives

General Counsel's Exhibit No. 39—(Continued)
an hourly wage of \$1.90 while the other persons named receive either \$1.40 or \$1.50, with the exception of Snodgrass who gets \$1.85. Stumpf instructs the other members on the mechanics' crew I have just named what work they should do and when they should do it. He corrects the work of the other members of the mechanics' crew whenever that is necessary. When any of the members of the mechanics' crew wish to go home early they get permission to do so from Stumpf who also tells them who should work overtime when that is necessary. Stumpf does not have the authority to hire or discharge anyone. He can, however, recommend to me either the hiring or discharging of a mechanic and his recommendation would be given more weight than those of the other members of the crew. The cannery packs its produce in the following size cans: No. 2 (20 oz.); No. 303 (1 lb. 1 oz.); No. 10 (6 lbs. 11 ozs.). Approximately 56 cans constitute one ton. (This would consist of 2 doz. cans per case of No. 303 which is the most common size, and would result in a case weight of approximately 25 lbs.)

The cannery operated this last season until either December 11 or December 18, 1954. At that time all the seasonal employees were let go, and only the permanent year-around staff maintained. The permanent staff consists of all of the supervisors except the two cannery floorladies, plus Stumpf and the four mechanics of the mechanics' crew, and also includes George Tsurumoto, a seamer operator

General Counsel's Exhibit No. 39—(Continued)

during the canning season and a general helper after the season is over; Orlin Chapman, labeling machine operator; Victor Lewis, canning machine operator; William Anderson, general helper; Lloyd Mills, general warehouse helper; and Less Talman, general carpenter. With the exception of Mills who came during the middle of the 1954 season, the permanent staff consists of the same persons who were kept the year round after the 1953 season ended. I choose all of the mechanics' crew and Aguire the rest of the men.

The 1954 canning season began about the middle of July. Early in July I ran experiments on slicing Gravenstein apples which proved to be successful, and before the season began in mid-July we received an order from Comstock, one of our big customers, for 70,000 cases of No. 2 cans of Gravenstein slices. This slice order made it necessary for us to arrange with one of the near-by canneries to put up apple sauce for us. The apples were delivered by our truck and some of the growers' trucks to the Co-op Cannery. General Manager, Martini, made the decision as to sending the apples to the Co-op Cannery for processing.

The decision to discharge Elsie Dickerson was made by me on the afternoon the discharge took place. During that morning Floorlady Ella Hererias brought me an apple which had been plugged. By that I mean that after the apple core had been removed a hole had been cut in the side of the apple, and an apple core placed in this hole. I

General Counsel's Exhibit No. 39—(Continued)

asked Floorlady Herrerias who had done it and she told me that Dickerson had. I asked Herrerias if she had seen Dickerson plug the apple and Herrerias replied that she had not but that the girls in the trimming line had seen Dickerson do it. Herrerias also told me that she had questioned Dickerson about the matter, and Dickerson had admitted that she had done it. In addition Herrerias told me that Dickerson had done this before, and recommended that Dickerson be discharged. I had not known that Dickerson had plugged an apple before. I told Herrerias to give Dickerson another chance. About an hour later that same morning Herrerias brought another apple which had been plugged and said Dickerson had done it again. I did not ask her if she had seen Dickerson do it on this occasion, but told her to discharge Dickerson at the end of the shift. Herrerias discharged Dickerson that afternoon at the end of the shift, when her time card shows it was punched out.

Clarence Storey was employed as an apple dumper and worked with another man who stacked the empty boxes after they were dumped, and a third man who stacked boxes which held the material for making apple juice. On October 15, 1954, of six men, three were retained. I do not recall at the moment who the dumpers and stackers were that were let go on October 15 nor who were retained, but I will obtain their names, the jobs they did, and on which shifts they worked, and supply them together with a list of the names of any per-

General Counsel's Exhibit No. 39—(Continued)

sons who were not working as dumpers or stackers on October 15, 1954, and who were put on the payroll on such jobs after that date.

Mrs. Storey was working as a peeler, and half an hour before her shift was over at about 11:24 A.M. she punched out. Mrs. Chicano came to me while I was in the laboratory at about 11:30 A.M. Mrs. Chicano said to me, "Orice Storey keeps wanting me to join the Union and I don't want any part of it." I replied, "I'll take care of it". I then went out into the cannery and found the floorlady and asked her why Orice Storey was not working. The floorlady said Mrs. Storey had punched out without permission. Just then General Manager Martini came in and I told him that Mrs. Chicano had complained about being asked to join the union by Mrs. Storey and didn't want to join, and that Mrs. Storey had left her post without permission. At Mr. Martini's suggestion I went downstairs to see what Mrs. Storey was doing. When I returned to my office Mr. Martini said that she was to be discharged and to ask her to leave the building. Mrs. Storey was discharged for leaving her post without permission, for checking out before the end of the shift, and for annoying other workers.

The Gravenstein season the past year lasted about eight weeks, which is about the average time for that season. On October 12, 1954, the Board of Directors of the SAGU decided to reduce operations to one shift. A week or so before that, Chairman of the Board of Directors, Tony Bondi, had been

General Counsel's Exhibit No. 39—(Continued)
inquiring about the capacity of the warehouse which was just about filled. When the cannery is operating it needs about 30 tons of apples for each eight hour shift, whether slices or sauce are produced.

On October 13, 1954, Mr. McGuire informed me of the decision that had been reached by the Board of Directors and told me to pick out one good crew. Thereafter I met with Charlie Williams the night shift foreman, and Floorlady Herrerias, and the three of us made up a list together. We went through the names of employees on both the day and night shifts, and chose one shift from them. The choices were made in part on merit, and consideration was given to length of service. Mrs. Herrerias wrote down the names. Only the three of us were present, and the meeting lasted about an hour.

On October 15, 1954, Mr. McGuire told me there would be a meeting of the employees of both shifts in the warehouse at 3:30 that afternoon, and about 3 o'clock I put a sign on the blackboard near the time clocks informing the employees of such meeting. I also told the supervisors to tell their people to be there. All of the supervisors were present as well as Tony Bondi. Bondi spoke first, thanking the employees for their services. After Bondi spoke, Martini then read a letter to them telling them that they were being let go, and when he had finished he asked Mr. McGuire to read a list of the employees who were to be kept on the payroll. The meeting lasted about twenty minutes.

General Counsel's Exhibit No. 39—(Continued)

After it was over I went into the cannery and I saw a number of the employees walking out. I asked Mrs. Herrerias what they were doing, and she said they did not want to finish work. I did not talk to any of the employees myself. About twenty of the employees on the night shift did not go to work that night, but the rest of the employees did and the night shift operated. The employees who did not work, as is customary turned in their aprons and caps to Floorlady Herrerias, who gave each of them a receipt. Those employees who were re-employed after October 15, 1954, to fill vacancies were chosen on decision made by Floorlady Herrerias and myself together.

I have carefully read the foregoing statement consisting of this and four (4) other pages, which was voluntarily given to an Agent of the National Labor Relations Board in the presence of W. M. Caldwell, President of the California Association of Employers, and I do swear that the matters set forth above are true and correct to the best of my knowledge and belief.

/s/ Leonard J. Duckworth.

Subscribed and sworn to before me this 18th day of March, 1955.

/s/ David Karasick,
Attorney, NLRB.

GENERAL COUNSEL'S EXHIBIT No. 40A-B

[Letterhead of
California Association of Employers]

October 29, 1954

Mr. L. D. Mathews, Jr.

Field Examiner

National Labor Relations Board

630 Sansome Street

San Francisco 11, California

Re: Sebastopol Apple Growers Union
Case No. 20-RC-2637

Dear Mr. Mathews:

I refer to your letter dated October 20th, 1954, re the challenged ballots resulting from the N.L.R.B. election conducted in connection with the above numbered case.

You inclosed a copy of the names of the persons whose ballots were challenged, whom they were challenged by and the reason for the challenge.

I enclose herewith:

1) A list of names of all the employees, in the unit found appropriate, appearing on the payroll of the Sebastopol Apple Growers Union during the payroll period immediately preceding the date of the Direction of Election of the N.L.R.B., which was dated October 4, 1954.

There were no employees, to our knowledge, who did not work during said payroll period because

General Counsel's Exhibit No. 40A-B—(Continued)
they were ill or on vacation, or temporarily laid off,
or in Military Service, whose names appear on this
list.

2) A list of the names of those employees in the
unit found appropriate who were on the payroll on
October 19th, the date of the election.

This list excludes from the October 2nd list those
persons who quit or had been discharged for cause
and their employment terminated, and who have not
been rehired or reinstated prior to the election date.

3) A list of the names of all the persons whose
ballots were challenged. This list follows the order
and the number as set forth in your list. Following
each name is the date of employment, the date em-
ployment was terminated and a brief statement of
reason for termination. Of the 111 persons whose
names were challenged, we find that:

(1) 12 had terminated their employment by quit-
ting prior to the payroll period ending October 2nd,
1954;

(2) 31 had terminated their employment by quit-
ting between October 2nd, 1954 and October 19th,
1954;

(3) One had been dismissed for misbehavior and
defiance of company rules;

(4) 52 had been terminated because a double
shift operation was no longer necessary nor ad-
visable, because production was in advance of sea-
son, supply, storage and sales deliveries.

General Counsel's Exhibit No. 40A-B—(Continued)

(5) 15 are still on the payroll. Of these, 5 were challenged by L. D. Mathews, conductor of the election, because he declared they had not voted in time. The election had not, however, been declared closed and these people had been standing in line waiting their turn to vote; 6 were challenged by the petitioner—1 because the petitioner's observer did not recognize the voter, 5 because they were samplers for the laboratory and declared by the petitioner's observer as not being in the unit; 4 were challenged by the employer's observer because they were not on the October 2nd payroll.

Very truly yours,

/s/ C. B. Rose,
Executive Secretary.

cc: E. Martini
S. Bond

Source: Encl.

on Payroll October 2, 1954

GENERAL COUNSEL'S EXHIBIT No. 40-E

- 1 Averman, Charlotte—
- 2 Eldridge, Peggy—
- 3 Ferrell, Goldie—
- 4 Olson, Lawrence—
- 5 Albertoni, Ruth
- 6 Albini, Dora
- 7 Albini, Ernestine office
- 8 Allen, Lois
- 9 Allen, Marceline
- 10 Allman, Lyman
- 11 Allman, Mildred
- 12 Ameral, Isabelle
- 13 Ameral, Lina
- 14 Ames, Nora
- 15 Anderson, Caroline
- 16 Anderson, Christine
- 17 Anderson, William
- 18 Antone, Eva
- 19 Armbrust, Joyce
- 20 Augustin, Elizabeth
- 21 Augustin, Willy
- 22 Awender, Karolina
- 23 Baker, Bonnie
- 24 Bartlett, Marie
- 25 Bate, Erma
- 26 Bate, John
- 27 Bennett, Laurie
- 28 Bertoli, Gerelino *Bertoni, Joe (25)*
- 29 Bills, Julia
- 30 Blair, Ethel
- 31 Bonar, Julia
- 32 Bond, Ilene
- 33 Brennan, Ruth
- 34 Breuer, Richard
- 35 Brickner, Beattie
- 36 Bridges, Leona
- 37 Bridges, Oma
- 38 Brines, Zelma
- 39 Brock, Inez
- 40 Brown, Gladys
- 41 Browning, Billie
- 42 Browning, Doris
- 43 Burger, George
- 44 Butler, Dolores
- 45 Button, Marilyn
- 46 Byrd, Margie
- 47 Caddel, Mary
- 48 Cameron, Harriet
- 49 Carrera, Ensohia *Cassidy (47)*
- 50 Castino, Mary
- 51 Chames, Joanne
- 52 Champagne, Clara
- 53 Champagne, Elinor
- 54 Chapman, Alta
- 55 Chapman, Orland
- 56 Chapson, Louise
- 57 Chicano, Salvador
- 58 Chicano, Virginia
- 59 Cihos, Mary
- 60 Clark, Ruth
- 61 Coate, Natalie
- 62 Coate, Susie
- 63 Coffey, John
- 64 Coffey, Marie
- 65 Collins, Marie
- 66 Connors, Frances
- 67 Coppock, Irvin
- 68 Correia, Frank
- 69 Crownover, Lee
- 70 Cuttress, Evelyn
- 71 Cuttress, Valeria
- 72 Dahl, Evelyn

- 71 Darden, David
- 72 Davello, Clara
- 73 Davis, George
- 74 Davis, June
- 75 Deal, Ruthie
- 76 DeVilbiss, Robert
- 77 DeWitt, Betty
- 78 Dickerson, Elsie
- 79 Donner, George
- 80 Doty, Esther
- 81 Drake, Frances
- 82 Draper, Jessie
- 83 Draper, Joy
- 84 Duncan, Worthly
- 85 Edwards, Helene
- 86 Eilers, Myrtis
- 87 Ellis, Mary
- 88 Elmore, Eugene
- 89 Elmore, Hazel
- 90 Elmore, Jean
- 91 Elvy, Cora
- 92 Falorni, Adolfo
- 93 Fenton, Violet
- 94 Ferguson, Sarah *Ferrell (25)*
- 95 Festa, Enrico
- 96 Fishelson, Ida
- 97 Fletcher, Esther
- 98 Floyd, Elsie
- 99 Foster, Herman
- 100 Foster, William
- 101 Frank, Charlotte
- 102 Freyling, Dolores
- 103 Fribourghouse, Ernest
- 104 Gaither, Lula
- 105 Gale, Maude
- 106 Garcia, Jose
- 107 Garrison, Fannie
- 108 Gullledge, Daisy
- 109 Gullledge, Lonzo
- 110 Gullledge, Martin
- 111 Hack, Ernestine
- 112 Hall, Pastoria
- 113 Hall, Sidney
- 114 Hance, Anna
- 115 Hansen, Hazel
- 116 Hansen, Mervyn
- 117 Hanson, Ruth
- 118 Hardin, Edna
- 119 Harris, Mary
- 120 Harrison, Lucille
- 121 Hayden, Rose
- 122 Heathorne, Clark
- 123 Herrerias, Ella
- 124 Higgen, Edward
- 125 Hoffschneider, Elsie
- 126 Horland, Theresa
- 127 Hontar, Ellen
- 128 Hontar, Kathleen
- 129 Hontar, George
- 130 Hontar, George
- 131 Hontar, George
- 132 Hontar, George
- 133 Hontar, George
- 134 Hontar, George
- 135 Hontar, George
- 136 Hontar, George
- 137 Hontar, George
- 138 Hontar, George
- 139 Hontar, George
- 140 Hontar, George
- 141 Hontar, George
- 142 Hontar, George
- 143 Hontar, George
- 144 Hontar, George
- 145 Hontar, George
- 146 Hontar, George
- 147 Hontar, George
- 148 Hontar, George
- 149 Hontar, George
- 150 Hontar, George
- 151 Hontar, George
- 152 Hontar, George
- 153 Hontar, George
- 154 Hontar, George
- 155 Hontar, George
- 156 Hontar, George
- 157 Hontar, George
- 158 Hontar, George
- 159 Hontar, George
- 160 Hontar, George
- 161 Hontar, George
- 162 Hontar, George
- 163 Hontar, George
- 164 Hontar, George
- 165 Hontar, George
- 166 Hontar, George
- 167 Hontar, George
- 168 Hontar, George
- 169 Hontar, George
- 170 Hontar, George
- 171 Hontar, George
- 172 Hontar, George
- 173 Hontar, George
- 174 Hontar, George
- 175 Hontar, George
- 176 Hontar, George
- 177 Hontar, George
- 178 Hontar, George
- 179 Hontar, George
- 180 Hontar, George
- 181 Hontar, George
- 182 Hontar, George
- 183 Hontar, George
- 184 Hontar, George
- 185 Hontar, George
- 186 Hontar, George
- 187 Hontar, George
- 188 Hontar, George
- 189 Hontar, George
- 190 Hontar, George
- 191 Hontar, George
- 192 Hontar, George
- 193 Hontar, George
- 194 Hontar, George
- 195 Hontar, George
- 196 Hontar, George
- 197 Hontar, George
- 198 Hontar, George
- 199 Hontar, George
- 200 Hontar, George



GENERAL COUNSEL'S EXHIBIT No. 40-F

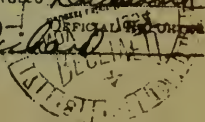
33 Lee, Leonard
 34 Lee, Robert
 35 Lewis, Victor
 36 Lindley, Beulah
 37 Lindsay, Gloria
 38 Loeffler, Carl
 39 Loeffler, Sandra
 40 ~~Lyman, John~~ office
 41 McAfee, Bernice
 42 McCall, Harry
 43 McCarl, Edna
 44 McCarthy, Dora
 45 ~~McCarthy, F. W.~~ office
 46 McCullough
 47 McDermott, Vita
 48 McGuire, Mary
 49 McHugh, Elizabeth
 50 McPhee, Eloyce
 51 Marquez, Mary
 52 Mahoney, Goldie
 53 Marra, Alvin
 54 ~~Marsland, Lloyd~~ office
 55 Masuoka, Frank
 56 Maw, Goldie
 57 May, Mary
 58 Mazzucchi, Nancy
 59 Miller, Hazel
 60 Mizell, Barbara
 61 Mizell, Eugene
 62 ~~Mukaida, Esther~~ office
 63 Mynock, Ada
 64 Napier, Renee
 65 Narron, Henry
 66 Nelson, Irene
 67 Nemet, Elizabeth
 68 Niemi, Selma
 69 Noble, Mary
 70 Nunes, Bernice
 71 Oandason, Andy
 72 ~~Okubara, Makoto~~ office
 73 Panelli, Ray
 74 Papera, Oliver
 75 Pate, Gloria
 76 Patterson, Marian
 77 Perry, Catherine
 78 Pesenti, Claudina
 79 Phillips, Richard
 80 Pirolle, Esther
 81 Ploza, Pauline
 82 Poggi, Joseph Jr.
 83 Poncia, Anita
 84 Pool, Lorraine
 85 Pozzi, Charles
 86 Rahm, Albert
 87 Rawles, Dora
 88 Reece, Gertrude
 89 Rettela, Gertrude
 90 Reynolds, Richard
 91 Reynolds, Rosette
 92 Roca, Pauline
 93 Rodrigues, Edward
 94 Rogers, Gerald
 95 Ross, Aloa
 96 Row, Julia
 97 Rowland, Eileen
 98 Rufino, Margaret
 99 Runyon, Lillian
 100 Russell, Mary
 101 Schell, Fred
 102 Schoenthal, Elizabeth
 103 Schrum, Evelyn

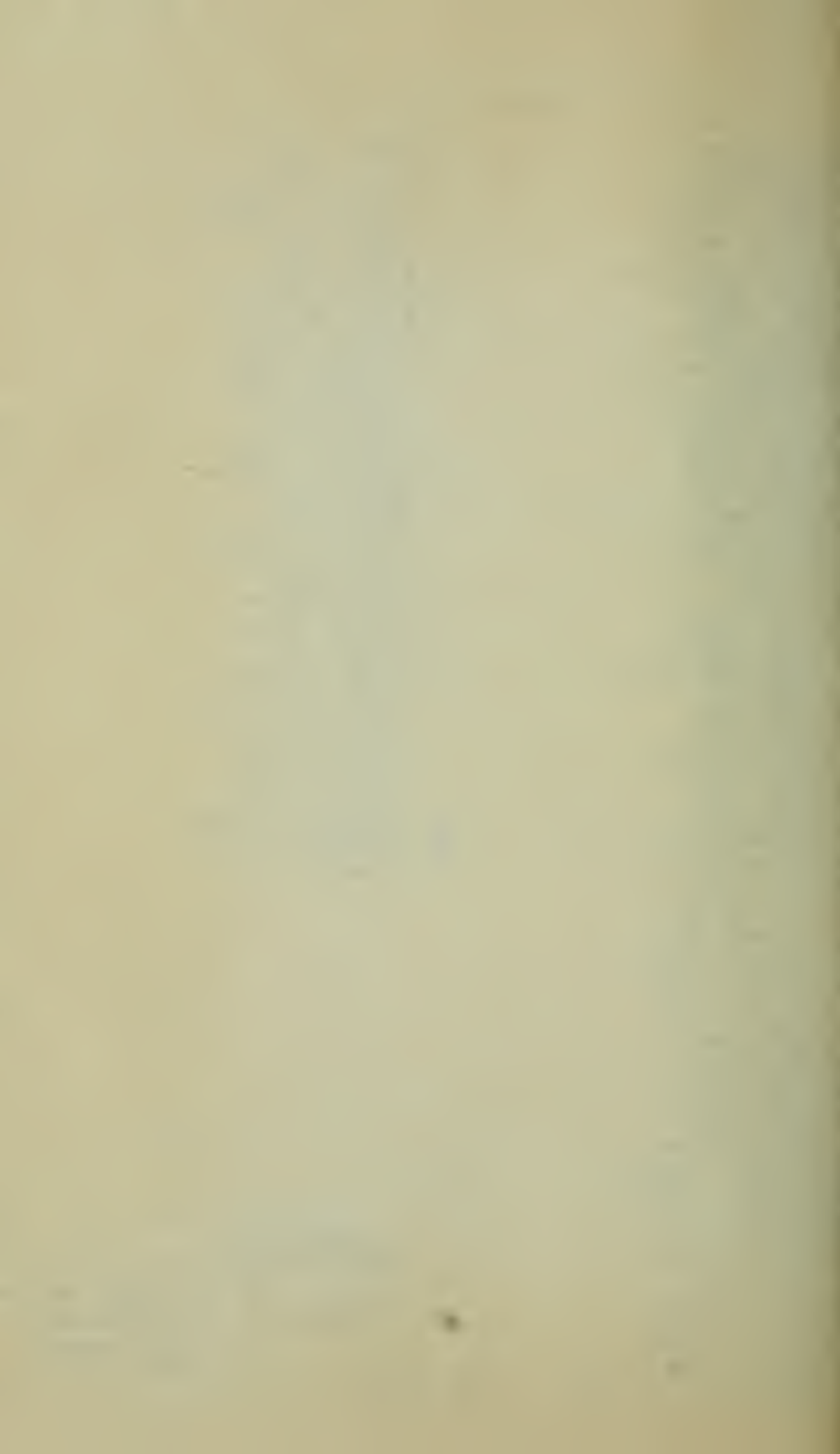
79 Scott, Gertrude
 200 Scott, Merle
 1 Seidel, Mary
 2 Shields, Viteria
 3 Shreffler, Barbara
 4 Shreffler, Nancy
 5 Smith, Joyce
 6 Smith, Wayne
 22.4 Smoker, Helen
 8 Snodgrass, Robert
 9 Souza, Mathilda
 10 Stevens, Mary
 11 Storey, Clarence
 12 Struempf, Steve
 13 Stumpf, Rita
 14 Susoeff, Ruth
 15 Taber, Marion
 16 Tallman, Lester
 230 17 Thomson, James
 18 Thorp, Ilah
 19 Todd, Gerald
 20 Tripp, Marie
 21 Tsurumoto, George
 22 Unciano, Froilan
 23 Urton, Etta
 24 Veach, Shirley
 25 Vernon, Amy
 26 Vessels, Stella
 240 27 Vogel, Anna
 28 Wakeland, Geneva
 29 Wasin, Edyth
 30 Weare, William
 31 Wiedenmeyer, Maria
 32 Wilder, Louise
 33 Wilson, Edith
 34 Wood, Robert
 35 Yaeger, Kenneth
 249 36 Ziegenbein, Thelma
 37 Peterson, Sylvia
 38 Bertoni, Joe
 39 Cassidy, Beulah

NATIONAL LABOR RELATIONS BOARD
 30-68-1035
 CASE NO. 2032 BOARD PETITIONER RESPONDENT EXHIBIT NO. 6C-40F
 IN THE MATTER OF *Lab. Mfg. Bldg. Workers*
 DATE *8-14-55* WITNESSES *Richard*

BY

GC 40 f



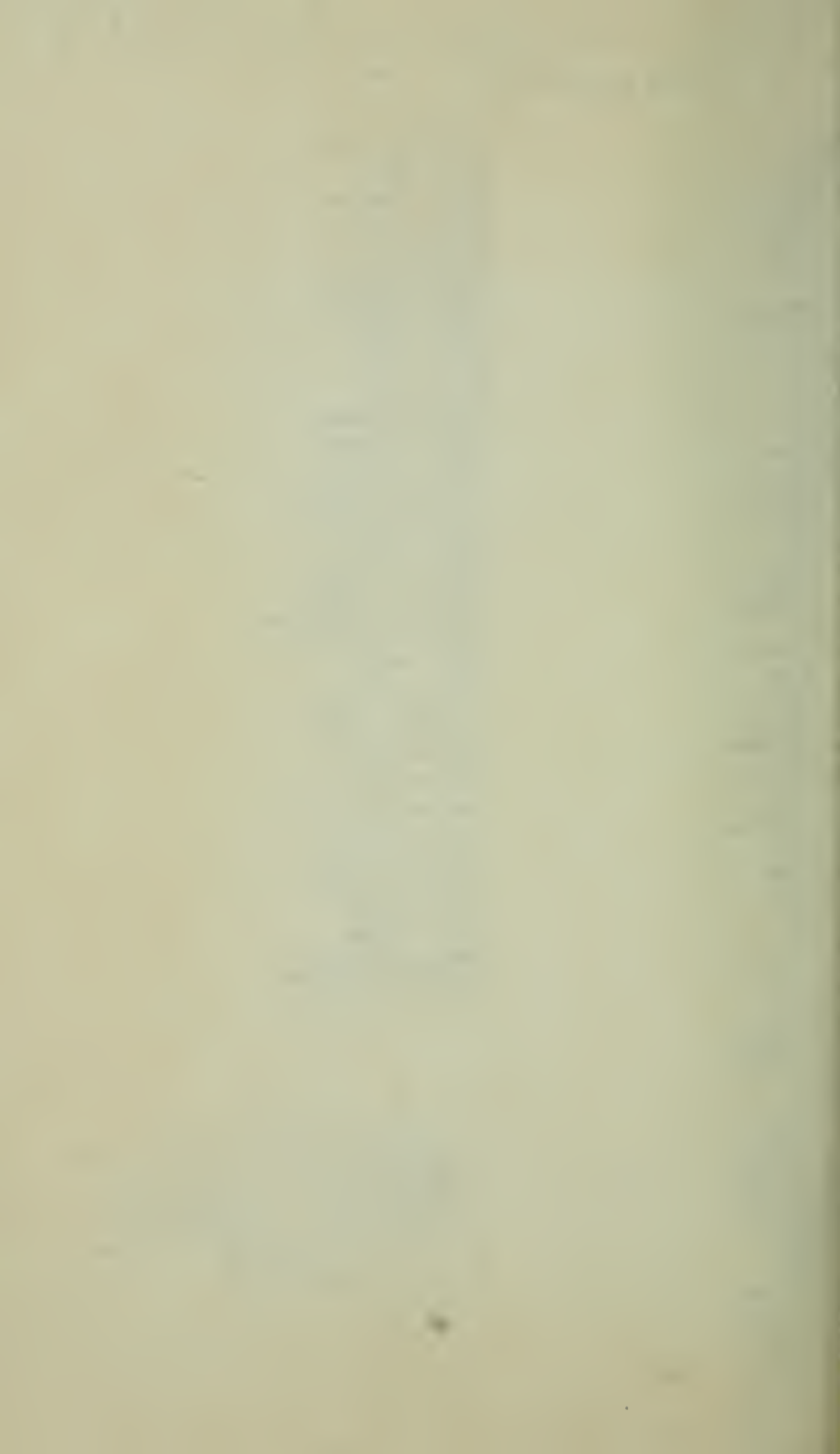


Active Employees October 19, 1954

Dora
Lois
Isabele
son, William
t, Joyce
n, Elisabeth
n, Willy
t, Marie
rma
t, Laurie
ol, Gereline
t, Joe
Julia
Julia
t, Ruth
Inez
Gladys
Dolores
Mary
a, Harriet
y, Beulah
o, Mary
Joanne
a, Orland
a, Louise
o, Salvador
o, Virginia
Ruth
a, Frances
k, Irvin
a, Frank
ver, Lee
ss, Evelyn
ss, Valeria
o, Clara
iss, Robert
t, Betty
son, Elsie
t, George
Esther
Frances
t, Eugene
t, Hazel
t, Jean
Cora
i, Adolfo
Enrico
son, Ida
t, Herman
Charlotte
ng, Delores
ng, Marcia
Maude
t, Jose
Dorothy
ge, Daisy
ge, Lonso
ge, Alvin
Ernestine
Pastoria
Sidney
n, Edna
t, Mary
ias, Ella
ns, Edward
nd, Theresa
t, Georgia
ss, John
on, Malba
on, Raymond
on, Willie
t, Cornelia
ss, Gertrude
ss, Edna

Jacobus, Vita
Kounovsky, Evelyn
Lee, Robert
Lewis, Victor
McAfee, Bernice
McCarl, Edna
McDermott
McGuire, Mary
Mahoney, Goldie
Masuoka, Frank
Mills, Lloyd
Napier, Renee
Narron, Henry
Neel, Fay
Niemi, Selma
Noble, Mary
Oandason, Andrew
Panelli, Raymond
Papera, Oliver
Perry, Catherine
Pesenti, Claudina
Peterson, Sylvia
Poggi, Joseph Jr.
Poncina, Anita
Reece, Gertrude
Rettela, Gertrude
Rodrigues, Edward
Schoenthal, Elisabeth
Smith, Joyce *Jessie*
Smith, Wayne
Smoker, Helen
Snodgrass, Robert
Struempf, Steve
Suscoff, Ruth
Tallman, Lester
Thorp, Ilah
Todd, Gerald
Tsurumoto, George
Urton, Etta
Veach, Shirley
Vessels, Stella
Wakeland, Geneva
Wasin, Edyth
Wilson, Edith
Wood, Robert
Yaeger, Kenneth
Ziegenbein, Thelma
Zimpher, Patricia

20-1035
CASE NO. 2637
IN THE MATTER OF *Sub App. 242*
DATE 8-14-55
NATIONAL LABOR RELATIONS BOARD
EXHIBIT NO. *EL 40G*
OFFICIAL REPORTER
BY *Richard*



GENERAL COUNSEL'S EXHIBIT No. 41A

[Letterhead of
California Association of Employers]

November 16, 1954

Mr. L. D. Mathews, Jr.
Field Examiner, 20th Region
National Labor Relations Board
630 Sansome Street
San Francisco 11, California

Re: Sebastopol Apple Growers Union
Case No. 20-RC-2637

Dear Mr. Mathews:

Attached hereto find further supplementary information requested in your letter dated November 9, regarding Case No. 20-RC-2637.

Sincerely yours,

/s/ C. B. Rose,
C. B. Rose,
Executive Secretary.

CBS/s
Enc.

GENERAL COUNSEL'S EXHIBIT No. 41B

[Letterhead of
California Association of Employers]

November 16, 1954

Mr. L. D. Mathews, Jr.
Field Examiner, 20th Region
National Labor Relations Board
630 Sansome Street
San Francisco 11, California

Re: Sebastopol Apple Growers Union
Case No. 20-RC-2637

Dear Mr. Mathews:

I now present to you a letter from the Sebastopol Apple Growers Union regarding the above case which contains the supplementary information requested by you in your letter dated November 9th.

Sincerely yours,

/s/ C. B. Rose,
C. B. Rose,
Executive Secretary.

CBR/s
Enc.

GENERAL COUNSEL'S EXHIBIT No. 41C-D

[Letterhead of Sebastopol Apple Growers' Union]

November 15, 1954

Mr. C. B. Rose, Executive Secretary
California Association of Employers
405 Montgomery Street
San Francisco, California

Re: Sebastopol Apple Growers' Union
Case No. 20-RC-2637

Dear Mr. Rose:

This letter contains supplementary information requested in Mr. L. D. Mathews Jr., letter of November 9, 1954.

Enclosed is a list of employees who were considered on our payroll on the evening shift October 15, 1954. This is the information requested in Mr. Mathews' letter under paragraph (I.E.).

Regarding statements made by representatives, including floor ladies of the Employer on October 15, 1954 to employees regarding the lay off is covered by the statement read by the General Manager, copy of which was forwarded to you on November 11, 1954. The only other statement made regarding the lay off was made by the Chairman of our Board of Directors to the effect that we had found it necessary to reduce our operation to one shift at this time. No other remarks were made concerning the lay off.

With reference to Mr. Mathews' letter of November 12, 1954, concerning challenged ballots. This is

General Counsel's Exhibit No. 41C-D—(Continued)
correct as there were ballots cast at the election
held at our plant on October 19, 1954 by persons
who were not on the October 2, 1954 payroll.

Reference to paragraph (I.E.) concerning:

- 6. Pauline Ploxa
- 12. Dora Rawles
- 15. Eusevia Correria

The above names were not read on October 15, 1954
as being those of employees who were being re-
tained. Pauline Ploxa and Dora Rawles both walked
off the job October 15, 1954.

Regarding paragraph (I.G.) this is correct con-
cerning Ruthie Deal. However, the statement about
Patricia Zimpher being laid off is incorrect. Patri-
cia Zimpher quit of her own free will and accord,
due to the fact that she could not get a baby sitter.

If there are any further questions that you would
like to have us answer, please advise.

Yours very truly,

Sebastopol Apple Growers' Union,
/s/ Elmo Martini,
Elmo Martini,
General Manager.

EM:Mc

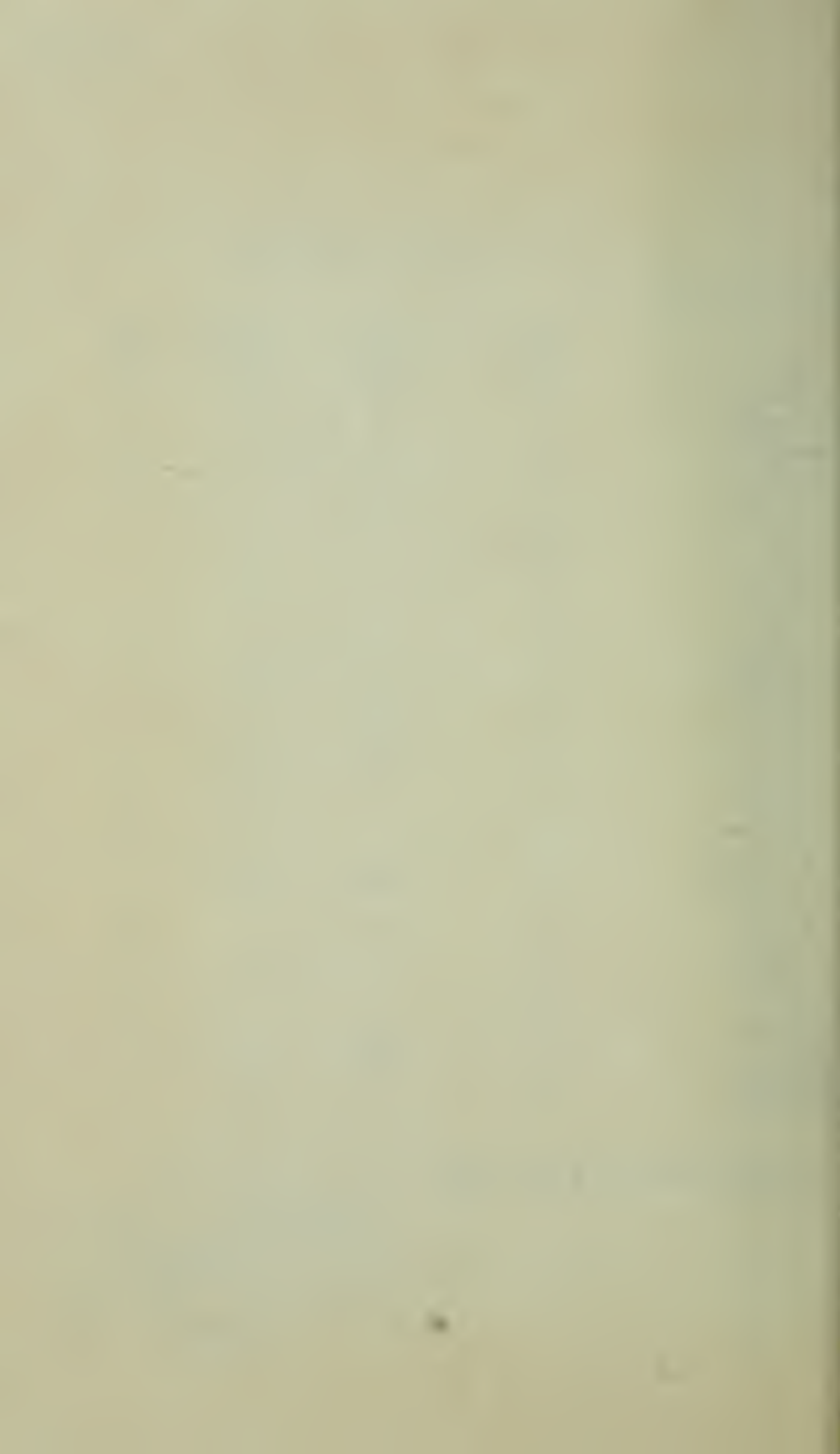
Encl:

Castopol Apple Growers' Union
Castopol, California

GENERAL COUNSEL'S EXHIBIT No. 41-E

<u>Name</u>	<u>Time in PM 10/15</u>	<u>Tfrd. to day shift</u>	<u>Worked PM 10/15</u>	<u>Walked off job</u>
Merline Perry	X	10/18	X	
Andia Pesenti	X	10/18	X	
Alia Peterson	X	10/18	X	
Alia Poncia	X	10/18	X	
Arude Rettela	X	10/18	X	
Arden Smoker	X	10/18	X	
Ar Susoff	X	10/18	X	
Ar Thorp	X	10/18	X	
Arge Tsurumoto	X	10/18	X	
Arva Wakeland	X	10/18	X	
Ar Wilson	X	10/18	X	
Arma Ziegenbein	X	10/18	X	
Arline Zimpher	X	10/18	X	
Ar Jacobus	X	10/18	X	
Ar Johnson	X	10/18	X	
Ar Johnson	X	10/18	X	
Arlyn Kaunovsky	X	10/18	X	
Arice McAfee	X	10/18	X	
Ar McDermott	X	10/18	X	
Ar McGuire	X	10/18	X	
Ar Mahoney	X	10/18	X	
Ar Napier	X	10/18	X	
Ar Niemi	X	10/18	X	
Ar Noble	X	10/18	X	
Ar Davello	Ill			
Ar De Witt	X	10/18	X	
Arge Donner	X	10/18	X	
Ar cis Drake	X	10/18	X	
Ar Elvy	X	10/18	X	
Ar Fishelson	X	10/18	X	
Ar lotte Frank	X	10/18	X	
Ar res Freyling	X	10/18	X	
Ar ia Freyling	X	10/18	X	
Ar e Gale	X	10/18	X	
Ar thy Gesek	X	10/18	X	
Ar y Gullege	Ill			
Ar stine Hack	X	10/18	X	
Ar Harrie	X	10/18	X	
Ar Allen	X	10/18	X	
Ar red Allman	Ill			
Ar e Armbrust	X	10/18	X	
Ar abeth Augustin	X	10/18	X	
Ar ie Augustin	X	10/18	X	
Ar e Bartlett	X	10/18	X	
Ar Bate	X			X
Ar line Bertoli	X	10/18	X	
Ar e Bonar	X	10/18	X	
Ar Brennan	X	10/18	X	
Ar Brock	X	10/18	X	
Ar res Butler	X	10/18	X	
Ar bia Carrera	X	X	X	
Ar sh Cassidy	X	10/18	X	
Ar ador Chicano	X	10/18	X	
Ar inia Chicano	X	10/18	X	
Ar ice Nunes	X			X

GC 11e



GENERAL COUNSEL'S EXHIBIT No. 42A

[Letterhead of Sebastopol Apple Growers' Union]

February 17, 1955

Mr. W. M. Caldwell, President
California Association of Employers
405 Montgomery Street
San Francisco, California

Dear Mr. Caldwell:

I am listing below information requested by Mr. David Karasick, attorney for the N. L. R. B., when I was with him and yourself Tuesday, February 8, 1955. This information is listed in the same manner as it was requested.

1. Total tons of apples processed last year;

(a) Fresh apples, 4603 Tons;

(b) Processed in cans, 7927 Tons;

2. Attached is a list of employees who worked both day and night shifts at the beginning of business on October 15, 1954, also included in this list are the names of employees who were hired after October 15, 1954.

Regarding a copy of Tony Bondi's remarks to employees on October 15, 1954, I am unable to get his prepared statement as Mr. Bondi has advised me that his statement has been misplaced at home and evidently destroyed.

If there is any additional information you wish, please advise.

Yours very truly,

Sebastopol Apple Growers' Union,
/s/ W. H. McGuire.



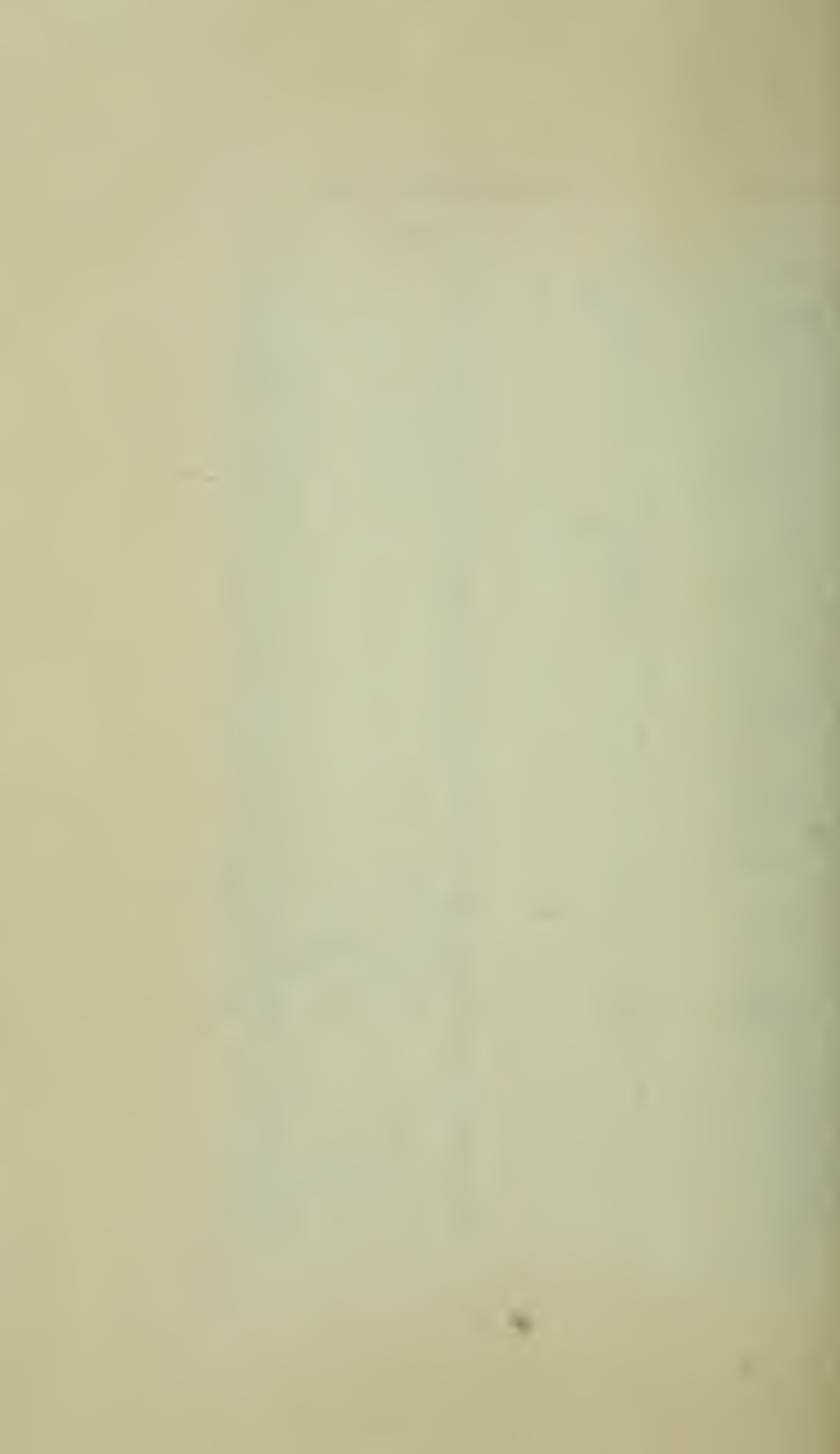
GENERAL COUNSEL'S EXHIBIT No. 42-B

EMPLOYEES WHO WORKED OCTOBER 15, 1954 on
DAY AND NIGHT SHIFT

<u>E</u>	<u>JOB</u>	<u>SHIFT</u>	<u>HIRED</u>
nasoky, Evelyn	P&T	N	7/15/54
, Robert N.	Fork Lift	D	6/28/54
is, Victor	Whse	D	9/4/53
ffler, Carl	Maint	D	7/15/54
fee, Bernice	T	N	7/15/54
ermott, Vita	T	N	9/13/54
uire, Mary	Lab	N	7/19/54
oney, Goldie	Insp	N	7/22/54
ucka, Frank	Seamer	D	7/8/54
ls, Lloyd	Whse	D	10/11/54
ier, Renee	P&Insp	N	10/1/54
mi, Selma	T	N	8/31/54
le, Mary	T	N	7/20/54
pack, Irvin	Concent	N	6/21/54
reia, Frank	Whse	N	7/1/53
wnover, Lee	Canner-Slices	D	8/30/54
dress, Valeria	P	D	7/20/54
l, Ruthie	Can car	D	8/9/54
itt, Betty	T	N	9/27/54
kerson, Elsie	T	D	7/19/54
ner, George	Fork Lift	N	7/20/54
y, Esther	Lab	D	7/6/54
ke, Frances	T	N	7/26/54
ore, Hazel	T	D	9/29/54
ore, Jean	T	D	7/17/54
y, Cora	T	N	7/20/54
orni, Adolfo	Press	D	8/16/54
ta, Enrico	Press	D	8/16/54
helson, Ida	T	N	7/20/54
ter, Herman	Whse	D	7/20/54
nk, Charlotte	T	N	7/22/54
yling, Dolores	T	N	7/20/54
yling, Marcia	T	N	7/22/54
e, Maud	P	N	7/20/54
cia, Jose	Can Car	D	3/29/54
ek, Dorothy	T	N	8/31/54
ledge, Lonzo	Whse	D	5/1/53
ledge, Marlin	Whse	D	7/20/54
rk, Ernestine	Sorter	N	7/19/54
l, Sidney	Maint	D	8/31/54
ris, Mary	P	N	8/19/54
nolds, Rosette	Can & Trim	D	7/24/54
ini, Dora	T	D	7/15/54
en, Lois	T	N	9/13/54
ral, Isabelle	T	D	7/16/54
erson, William	Whse	N	9/9/54
urst, Joyce	Seamer helper	N	7/16/54
ustine, Elizabeth	Insp	N	7/16/54
ustine, Willy	Clean up	N	7/23/54

20-CA-1035
74-RC-2637
NATIONAL LABOR RELATIONS BOARD
EXHIBIT NO. 8
DATE 8-14-55
WITNESS
BY Richard

RC 42 b

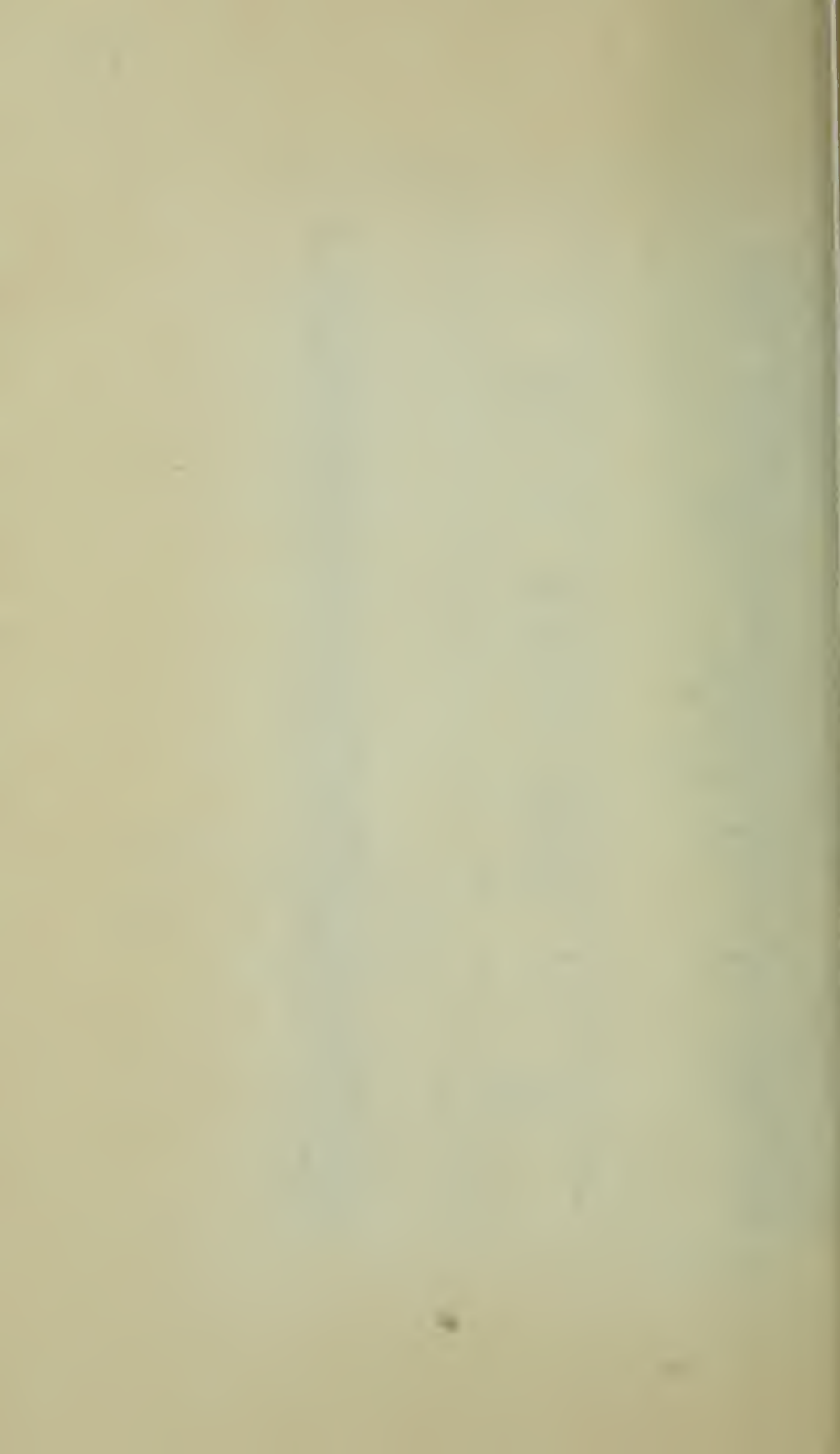


Continued - - Pa. 3

GENERAL COUNSEL'S EXHIBIT No. 42-D

NAME	JOB	Shift	Hired
uza, Mathilda	T	N	9/27/54
ber, Marion	T	N	9/1/54
ith, Joyca W.	Whse.	N	7/17/54
stone, Bertha	T	N	10/7/54
stone, Eva	T	D	9/13/54
idges, Oma	T	D	7/28/54
y, Mary	T	D	8/6/54
gers, Gerald	Clean-up	N	9/29/54
air, Ethel	Can Car	N	7/22/54
owning, Billie	P	N	7/20/54
owning, Dora	Clean-up	N	7/20/54
ddell, Mary	T.	N	9/13/54
nes, Connie	P	N	10/4/54
wards, Helene	Can Car	N	7/22/54
ffschneider, Elsie	T & P	N	9/7/54
fland, Theresa	P	N	9/13/54
zzucchi, Nancy	T	N	9/14/54
gel, Anna	P	D	7/15/54
lder, Louise	T & Relief	D	9/14/54
ffey, John	Stacker	D	7/19/54
ncan, Worthy	Whse	D	9/24/54
flin, Arthur	Stacker	D	10/4/54
e, Leonard	Case Stacker	D	7/23/54
illips, Richard	Whse, Caser	D	9/24/54
orey, Clarence	Dumper	D	7/15/54
eningson, Rudolph	Whse	D	10/4/54
ciano, Froilan	Maint	D	8/24/54
are, William	Clean-up	D	7/20/54
vis, George		D	9/27/54
ibourghouse, Ernest	Press	N	7/13/54
ynolds, Richard	Flift	N	8/11/54
rtoni, Joe	Sorter B.	N	9/28/54
rden, David	Clean-up	N	7/29/54
lleher, Gerald	Whse.	N	8/27/54
ster, William	Clean-up	N	9/23/54
Call, Harry	Clean-up	N	9/29/54
rra, Alvin	Clean-up	N	7/21/54
zzi, Charles	Whse	N	9/27/54
pe, Laura	T	D	10/9/54
dera, Marie	P	D	8/4/54
hnson, Leonard	insap	D	7/23/54
use, Viola	T	D	8/7/54
yman, Leta	P & T	D	8/6/54
e, Eva	P	D	7/20/54
ndley, Beulah	T	D	8/10/54
Carthy Dora	T	D	9/29/54
Cullough, Alice	T	D	9/28/54
Hugh, Elizabeth	T-P& Relief	D	9/28/54
Phoe, Eloyce	Can Car & T	D	7/16/54
rquez, Mary	P-T & Seed Cel	D	9/11/54
w, Goldie	T	D	9/28/54
ller, Hazel	P	D	7/30/54
oyd, Elsie	T	D	9/18/54
rrison, Fanny	T	D	7/15/54
ll, Pastoni	T	D	7/26/54
nson, Hazel		D	9/18/54

GC 42d



Continued - - Page 4

GENERAL COUNSEL'S EXHIBIT No. 42-E

Edna	Insp	D	7/15/54
Lucille	T	D	9/29/54
Rose	T	D	9/7/54
Gail	T	D	10/13/54

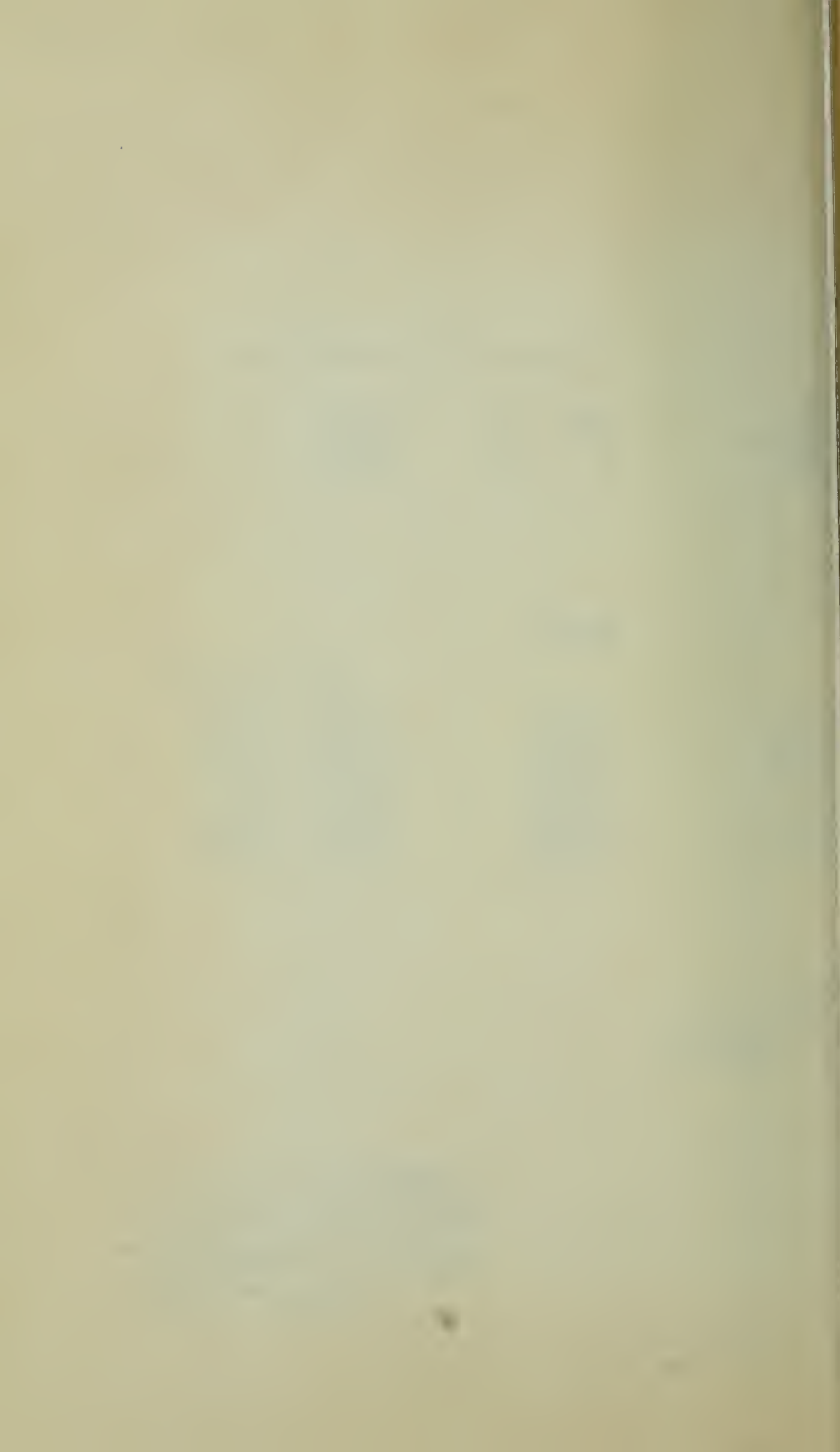
REHIREDPrevious Employment

Caddell T	10/18/54	9/13/54 - 10/15/54
elia Jones T	10/18/54	10/4/54 - 10/15/54
la Vessels T	10/18/54	7/24/54 - 10/15/54
Hance T	10/30/54	7/24/54 - 10/15/54
essa Hofland T	10/18/54	9/11/54 - 10/15/54
a Row T	10/28/54	7/22/54 - 10/9/54
h Wasin T	10/18/54	18/9/54 - 10/15/54
ie Deab T	10/23/54	8/9/54 - 10/15/54
Urton INSP.	10/18/54	7/20/54 - 10/15/54

Trimmer
 Peeler
 - Inspection
 - Clean-Up
 Driver - Truck Driver

NATIONAL LABOR RELATIONS BOARD
 20-CA-1035
 CASE NO. 20-CA-2627
 EXHIBIT NO. GC-42 E
 IN THE MATTER OF *Lib. Miss. Payson*
 DATE 8-14-55 WITNESS *Richard*
 BY *Richard* OFFICIAL REPORTER

GC 42 e

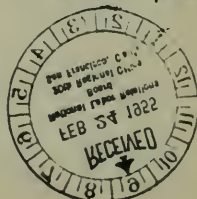


GENERAL COUNSEL'S EXHIBIT No. 42-F

of Employees hired after October 15, 1954, who had no
previous employment with SAGU.

<u>NAME OF EMPLOYEE</u>	<u>DATE HIRED</u>	<u>JOB</u>
Bollinger	10/27/54	T
Elliott	11/6/54	T
Gene B. Geasland	10/22/54	T
Gertrude H. Hayes	10/20/54	T
Wes Henningsen	10/27/54	T
Joe Hoffman	10/22/54	T
W. A. Hiemes	10/30/54	T
Mary Jobe	10/22/54	T
W. A. Littleton	10/25/54	T
W. Long	10/25/54	T
W. E. Nord	10/25/54	T
W. Peters	10/23/54	T
Marine Poncelet	10/23/54	T
W. R. Stanalea	10/30/54	Maint.

20-54-1075
CASE NO. 6635
NATIONAL LABOR RELATIONS BOARD
EXHIBIT NO. GC-42
IN THE MATTER OF *Lab Corp. Inc.*
DATE *1-18-55* WITNESS *[Signature]*
BY *Richard* Official Reporter



GC 42 f

See also pp. 41



GENERAL COUNSEL'S EXHIBIT No. 44
(Copy)

Sebastopol Apple Growers Union
Molino Cannery
(Day Committee)

Lena Amaral, 102 Ripley, Santa Rosa, California.
Ph. 1223 W.

Nora Ames, 3526 Brooks Ave., Santa Rosa, California. Ph. 6326 R.

Leona Bridges, 105 West Oak Ave., Santa Rosa, California.

Nina Buhrman, 3602 Brooks Ave., Santa Rosa, California. Ph. 6323 R.

Mary Castino, 2550 Bodega Rd., Sebastopol, California. Ph. 3670.

Ruth L. Deal, 105 West Oak Ave., Santa Rosa, California.

Ruth Doyle, 2341 Gravenstein Hiway So., Sebastopol, California. Ph. 3625.

Mary Ellis, 911-A Wright St., Santa Rosa, California.

Myrtis Eillers, Box 261, Brownsville, California.

Leonor Johnson, 1290 Lloyd Ave., Santa Rosa, California. Ph. 7215 R.

Violia Kruse, 624 Benjamin, Santa Rosa, California.

Lila Layman, 3602 Brooks Ave., Santa Rosa, California. Ph. 6323 W.

Eva M. Lee, 833 Ripley, Santa Rosa, California. Ph. 4916 W.

L. L. Lee, 833 Ripley, Santa Rosa, California. Ph. 4916 W.

General Counsel's Exhibit No. 44—(Continued)

Beulah Lindlay, 311 Olive St., Santa Rosa, California.

Gloria Lindsay, 2700 Sonoma Highway, Santa Rosa, California. Ph. 9321.

Mary Marquez, Box 465, Forestville, California.

Irene Nelson, 1793 Petaluma Hill Rd., Santa Rosa, California.

Dorothy Offutt, Box 7, Cotati, California. Ph. Petaluma 5 4266.

Gloria Pate, 1255 McConnell Ave., Santa Rosa, California. Ph. 678 W.

Mary Russell, 104 9th St., Santa Rosa, California. Ph. 1839.

C. E. Storey, 169 Burnett Ave., Sebastopol, California. Ph. 2403.

Orice Storey, 169 Burnett Ave., Sebastopol, California. Ph. 2403.

(List separate by request of Mr. Grami)

Otto Mowry, 343 Ragle Rd., Sebastopol, California.

GENERAL COUNSEL'S EXHIBIT No. 48-1

Authorization for Representation Under the National Labor Relations Act [A. F. of L.]

I, the undersigned, employee of Molino Plant, Sebastopol Growers Union, Sebastopol, California, authorize General Truck Drivers and Helpers Union, Local 980, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, A. F. of L., to represent me in negotiations for better wages and working conditions.

General Counsel's Exhibit No. 48-1—(Continued)

This authorization supersedes any similar authority previously given to any person or organization.

My Signature: Ruth Albertoni.

My Address: 1780 Burbank Ave., Santa Rosa.

Social Security No. 546-42-7098.

Date of Birth: March 13, 1911.

Date: Sept. 3, 1954.

Phone: 5076 R. Book No.....

GC 48(2) through GC 48(104) and GC 49(1) through GC 49(14) are identical with 48(1) except for the names and dates as follows:

Exch. No.	Name	Date
48 (2)	Dora Albini	9/7/54
48 (3)	Marceline Allen	9/28/54
48 (4)	Isabelle Ameral	8/5
48 (5)	Lena Ameral	8/10
48 (6)	Nora Ames	8/4/54
48 (7)	Caroline Anderson	9/13/54
48 (8)	Marvel Angle	10/11
48 (9)	Eva Mae Antone	9/28/54
48 (10)	Elizabeth Augustin	10/10/54
48 (11)	Karolina Awender	8/4/54
48 (12)	Erma Bate	9/10/54
48 (13)	Julia Bills	8/5/54
48 (14)	Ethel Blair	9/10/54
48 (15)	Bessie Brickner	8/13
48 (16)	Leona Bridges	8/6/54
48 (17)	Oma Bridges	8/5/54
48 (18)	Zelma Brines	9/24

Exch. No.	Name	Date
48 (19)	Gladys Brown	9/6/54
48 (20)	Nina Buhrman	8/9/54
48 (21)	Margie Byrd	8/4/54
48 (22)	Mary Elois Gaddel	9/27/54
48 (23)	Harriet Cameron	9/1/54
48 (24)	Mary Castino	8/5/54
48 (25)	Joan Chames	9/2/54
48 (26)	Alta Chapman	9/1/54
48 (27)	Louise Chapson	none
48 (28)	Mary Cihos	9/15
48 (29)	Ruth Clark	9/1/54
48 (30)	Natalie Coate	9/12
48 (31)	Susie Coats	10/8/54
48 (32)	Marie Coffey	10/11/54
48 (33)	Gatha Crump	10/11/54
48 (34)	Evelyn Cuttress	8/28/54
48 (35)	Valeria Cuttress	8/5/54
48 (36)	Evelyn Dahl	9/29/54
48 (37)	Clara Davello	9/20
48 (38)	Ruth Deal	9/1/54
48 (39)	Elsie Dickerson	8/4/54
48 (40)	Myrtis Eilers	9/11/54
48 (41)	Mary Ellis	9/11/54
48 (42)	Violet Fenton	9/3/54
48 (43)	Esther Fletcher	8/6/54
48 (44)	Elsie Floyd	9/21/54
48 (45)	Lula Gaither	9/1/54
48 (46)	Fannie Garrison	8/4
48 (47)	Josephine Geist	8/11/54
48 (48)	Ernestine Hack	8/10
48 (49)	Pastora Hall	9/2/54

Exch. No.	Name	Date
48 (50)	Ann Hance	9/1/54
48 (51)	Hazel Hansen	9/22/54
48 (52)	Ruth Hanson	9/2/54
48 (53)	Lucille Harrison	10/11
48 (54)	Rose Hayden	9/16/54
48 (55)	Gail Herrell	10/12/54
48 (56)	Elsie Hoffschneider	10/6/54
48 (57)	Ellen Hontar	9/1/54
48 (58)	Kathleen Hontar	9/1/54
48 (59)	Laura Hope	10/7/54
48 (60)	Marie Hydera	9/2/54
48 (61)	Irene Johnson	9/1/54
48 (62)	Leonor Johnson	8/4/54
48 (63)	Gertrude Jones	9/12/54
48 (64)	Viola Kruse	9/2/54
48 (65)	Lila Layman	8/9/54
48 (66)	Eva M. Lee	8/10/54
48 (67)	Beulah Lindley	9/11/54
48 (68)	Gloria Lindsay	8/4/54
48 (69)	Edna McCarl	9/10
48 (70)	Elizabeth McHugh	9/7/54
48 (71)	Eloyce McPhee	9/21/54
48 (72)	Mary Marquez	9/16/54
48 (73)	Goldie Maw	10/2/54
48 (74)	Mary May	9/3/54
48 (75)	Hazel Miller	8/4/54
48 (76)	Ada Mynock	9/20/54
48 (77)	Elizabeth Memeth	8/16/54
48 (78)	Selma Niemi	9/27
48 (79)	Bernice Nunes	8/25/54
48 (80)	Dorothy Offutt	9/1/54

1262 *National Labor Relations Board vs.*

Exch. No.	Name	Date
48 (81)	Gloria Lee Pate	8/4/54
48 (82)	Esther Birolle	9/28
48 (83)	Pauline Ploxa	9/3/54
48 (84)	Lorraine Pool	9/28/54
48 (85)	Dora Rawles	9/3/54
48 (86)	Gertrude Reece	8/4/54
48 (87)	Pauline Rocca	9/28/54
48 (88)	Aloa Rae Ross	10/7/54
48 (89)	Julia Ann Row	10/12/54
48 (90)	Margaret Rufino	9/10
48 (91)	Mary Russell	8/10/54
48 (92)	Marie Scheffler	8/4/54
48 (93)	Elizabeth Schoenthal	8/9/54
48 (94)	Gertrude Scott	8/21/54
48 (95)	Vitearia Shields	8/9
48 (96)	Amy Sweningson	10/6/54
48 (97)	Nancy Tatum	10/7
48 (98)	Lois Thornton	10/9/50
48 (99)	Marie Tripp	9/16/54
48 (100)	Etta Urton	9/19/54
48 (101)	Amy Vernon	9/13/54
48 (102)	Anna Vogel	9/1/54
48 (103)	Edyth Wasin	8/9
48 (104)	Louise Wilder	9/28/54
49 (1)	Willy Augustin	10/10/54
49 (2)	John Bate	10/24/54
49 (3)	John Coffey	10/11/54
49 (4)	Ernest Fribourghouse	8/10/54
49 (5)	Jose Garcia	9/11/54
49 (6)	A. C. Heflin	10/7/54
49 (7)	Leonard Lee	8/10/54

Exch. No.	Name	Date
49 (8)	Raymond Panelli	9/3/54
49 (9)	Richard Phillips	10/4/54
49 (10)	Albert Rahm	9/28/54
49 (11)	Richard Reynolds	9/15/54
49 (12)	Wayne Smith	9/23/54
49 (13)	C. E. Storey	8/4/54
49 (14)	R. Sweningson	10/6/54

GENERAL COUNSEL'S EXHIBIT No. 51

Authorization for Representation Under the Na-
[Emblem] tional Labor Relations Act [A. F. of L.]

I, the undersigned, employee of Co-op Cannery, Sebastopol, Calif., authorize General Truck Drivers and Helpers Union, Local No. 980, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, A. F. of L., to represent me in negotiations for better wages and working conditions.

This authorization supersedes any similar authority previously given to any person or organization.

My Signature: Darlene Rearden.

My Address: 1550 Cooper Rd.

Social Security No.: 564-42-9283.

Date of Birth: Jan. 1, 1936.

Date: Oct. 8, 1954.

Phone: (neighbor) 2761.

Book No.....

1264 *National Labor Relations Board vs.*

GENERAL COUNSEL'S EXHIBIT No. 52A-B

S.A.G.U. Production for Years 1950 Thru 1954

	Sauce			Slices		Juice 6/1½ gal. 12/qts.	Con- cen- trate
	24/303	6/10	24/8 oz.	24/2	6/10		
1950							
S.C.C.							
1951	121,000	(Approx.)					
1952							
To 9/4/52	83,407	1,782					
To 11/8/52	144,544	15,887					
Rider						6,295	
1953							
Production							
To 11/20/53	242,752	6,637		100,427			745
To 12/23/53	243,853	8,337		124,039			862
S.C.C.			13,770				
Rider & Son						14,164	
Inventory							
11/15/53	142,178	844	349	33,103		8,692	112
1954							
Production							
To 10/15/54	155,830	3,050		144,835			550
To 12/11/54	202,398	11,384		186,376	1,929		840
S.C.C.	65,322		15,265				
Rider & Son						11,143	
Inventory							
10/15/54	167,009	661	14,450	57,717		12,144	185
S.C.C.—Sebastopol Cooperative Cannery.							

S.A.G.U. Shipments to Close—1953 and 1954

1953							
To 11/20	97,520	5,611	1,211	53,204		2,075	592
To 12/23	106,521	6,526	1,511	60,336		2,475	643
1954							
To 10/15	55,983	2,675	845	83,953		1,300	368
To 12/11	107,914	3,039	4,664	99,321		2,240	482

GENERAL COUNSEL'S EXHIBIT No. 53A-B

[Letterhead of Sebastopol Apple Growers' Union.]

April 8, 1955

Mr. David Karasick
National Labor Relations Board
630 Sansome Street
San Francisco 11, California

Re: Sebastopol Apple Growers' Union—Case
No. 20-CA-1035

Dear Mr. Karasick:

In accordance with your request of March 16th and your letter of March 23rd, we are submitting the following information for the years 1951 through 1954:

- (a) Eliminated on your authority;
- (b) Quantity of apples delivered to the other canneries, juice plants, dryers, or other processors;
- (c) Quantity of each product processed showing product and size of container;
- (d) Transportation costs to and from other processors;
- (e) Processing costs;
- (f) Name and address of carriers;
- (g) Inventories beginning and end of cannery operations;
- (h) Cannery fruit in cold storage 10/16/54;

General Counsel's Exhibit No. 53A-B—(Cont.)

(i) Cold storage fruit used in processing to close of cannery.

All of this information is on the schedule attached.

Trusting that this information will be of assistance to you, I am,

Yours very truly,

Sebastopol Apple Growers' Union,
By /s/ Errol D. Wilson.

EDW :as

Encl.

GENERAL COUNSEL'S EXHIBIT No. 53-C

enteries

<u>Year</u>	<u>Commodity</u>	<u>Size</u>	<u>Opening Season Cases</u>	<u>Closing Season Cases</u>
1951			Unable to check	
6/30/1952	Sauce	24/303	20997	122771
11/15/1952	Sauce	24/303		13817
11/15/1952	Sauce	6/10		1156
11/15/1952	Juice	12/Qt.		396
11/15/1952	Juice	6 1/2 Gal.	2208	133600
7/2/1953	Sauce	24/303		1825
1/4/1954	Sauce	24/303		12259
	Sauce	6/10		60485
	Sauce	24/8oz.		8089
	Sliced Apples	24/2		2051
	Juice	12/Qt.		208
	Juice	6 1/2 Gal.		
	Concentrate	55 Gal Drums		
6/30/1954	Sauce	24/303	27392	
	Sauce	24/8oz.	1794	
	Sliced Apples	24/2	9517	
	Juice		871	
	Concentrate		21 1/2	
12/4/1954	Sauce	24/303		152998
	Sauce	8/oz.		15486
	Sliced Apples	24/2		84445
		6/10		8930
	Juice			11812
	Concentrate			333
10/16/1954	Cannery fruit in Cold Storage			1396.15 Tons
All Used In Processing				

Fresh Fruit Shipments and Dryer Deliveries:

1951 Unable to Check
 Prior to Sept. 4, 1952
 After September 4, 1952
 Prior to November 20, 1953
 After November 20, 1953
 Prior to October 15, 1954
 After October 15, 1954

Fresh

6431.93 Tons
 2188.15 Tons
 5049.72 Tons
 56.20 Tons
 4765.71 Tons
 1004.28 Tons

Dryer

1770.09 Tons
 1355.37 Tons
 995.95 Tons
 848.90 Tons
 1800.18 Tons

BOARD OF RELATIONS BOARD

WITNESS
 IN THE MATTER OF

EXHIBIT NO. 4C 53C

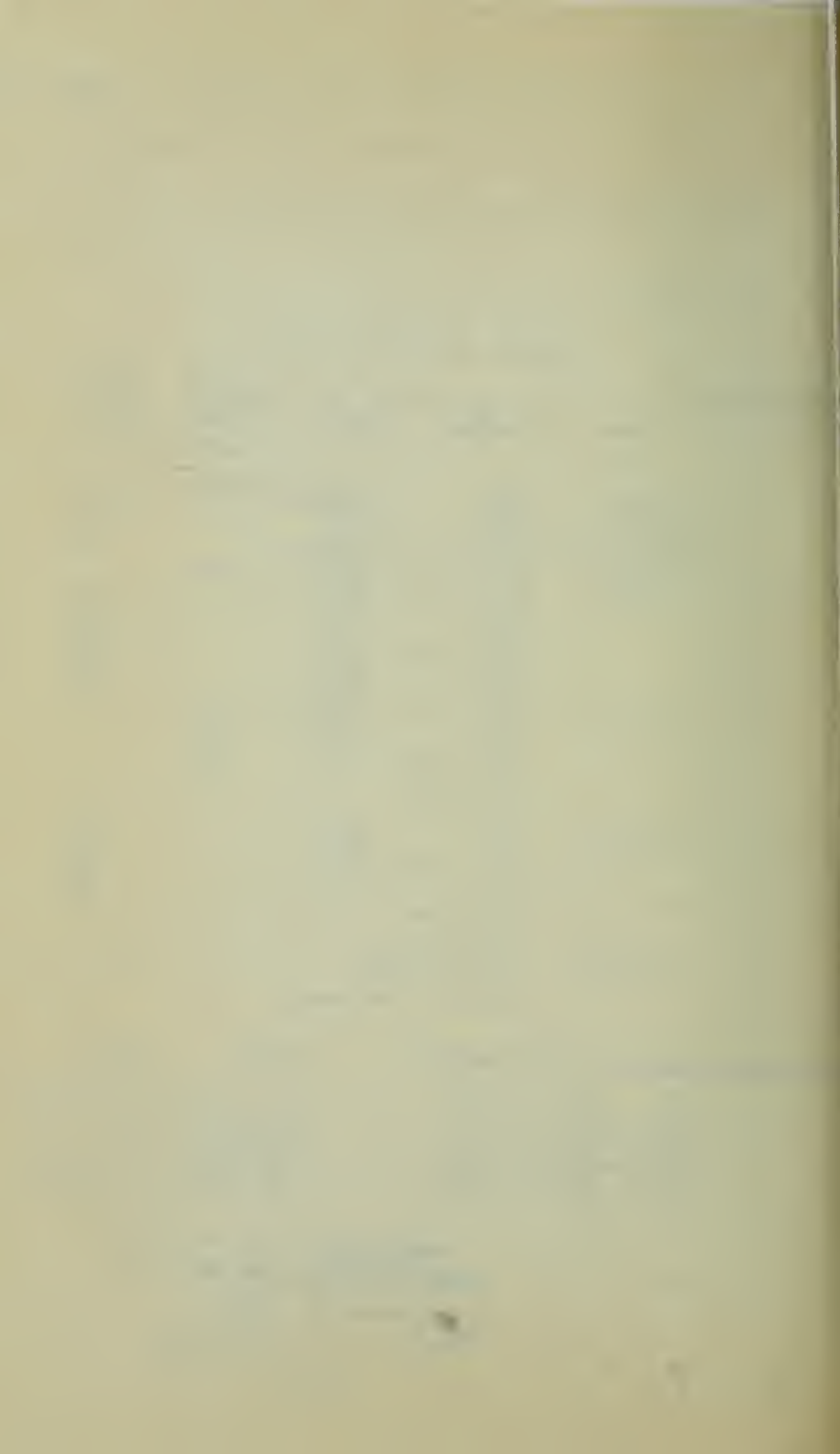
JAGU

WITNESS Tulom

OFFICIAL REPORT

Clear

GC 53C



GENERAL COUNSEL'S EXHIBIT No. 53-D

of Apples Delivered to Dryers
Processors Canning for Sebastopol
the Growers' Union (in tons)

<u>Year</u>	<u>Dryers</u>	<u>Sebastopol Cooperative Cannery</u>	<u>H. A. Rider & Son</u>
1951	3026.51		
1952	3125.46		116.53
1953	995.94	155.34	228.16
1954	867.08	1432.80	205.92

duced for Sebastopol Apple
Growers' Union

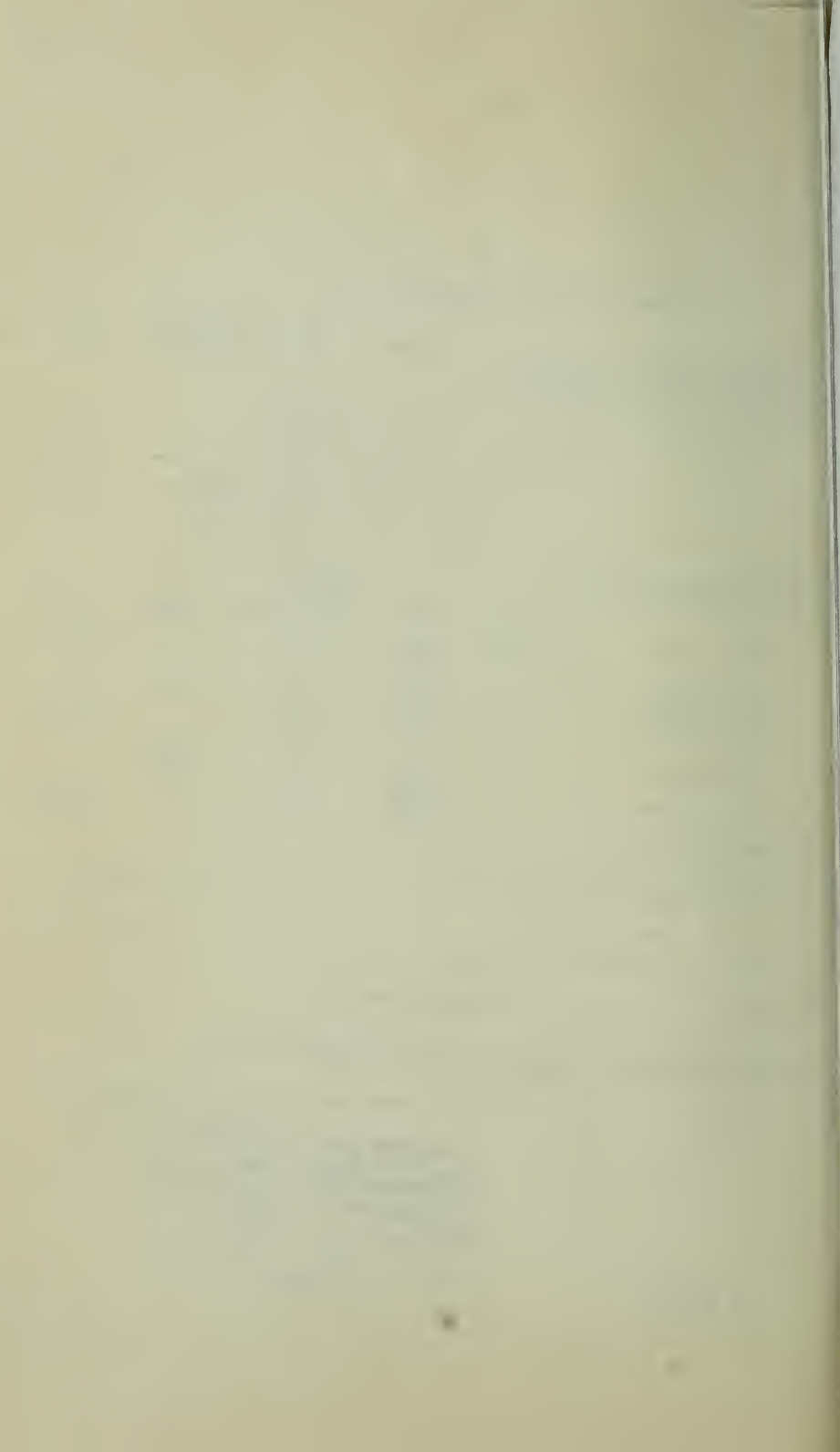
	<u>Year</u>	<u>Size</u>	<u>Per case Cost of Production</u>	<u>Cases</u>	<u>Cases</u>
Apple Juice	1952	12/Qt 6/3Gal	1.22 1.17		3933 2362
Apple Sauce	1953	24/8oz	1.10	13770	
Apple Juice		12/Qt	1.19		10880
Apple Juice		6/3Gal	1.19		3184
Apple Sauce	1954	24/8oz	1.20	15265	
		24/303	1.50	65322	
Apple Juice		12/Qt	1.27		5593
		6/3Gal			5550

Transportation Costs:

Miller Trucking Co., Sebastopol, California	\$ 1.65 Per Ton
Apples to Sebastopol Cooperative	6.70 Per Ton
Apples to H. A. Rider, Watsonville	2.10 Per Ton
Canned Goods from Sebastopol Cooperative	
Sonoma Trucking Co., Rt. 3, Box 25, Sonoma, California	5.60 Per Ton
Apples to H. A. Rider and Son, Watsonville	
Bould Transportation Co., Inc., 4640 Sperry St., Los Angeles, Calif.	8.63 Per Ton
Bottled Goods from H. A. Rider and Son, Watsonville	2.00 Per Ton
Members of S. A. G. U. To Sebastopol Cooperative and Dryers	

EXHIBIT NO. 53-D
 SAGU
 IN THE MATTER OF
 DATE 7/2/56 WITNESS Wilson
 OFFICIAL REPORT
 BY Cleary

GC 53-D



GENERAL COUNSEL'S EXHIBIT No. 55

[Letterhead of Sebastopol Apple Growers' Union]

February 17, 1954

Mr. W. M. Caldwell, President
California Association of Employers
405 Montgomery Street
San Francisco, California

Dear Mr. Caldwell:

I am enclosing a list of employees whose names were read by Bill McGuire on October 15, 1954.

Regarding information as to who preceded Edna Hardin as Floor Lady on the day shift, date, etc., I submit the following information:

From July 15, 1954 to October 4, 1954, Edna Hardin was Floor Lady on the day shift. On October 5, 1954 we employed Alicia Unciano until October 15, to take Edna Hardin's place as Floor Lady on the day shift. On October 18, 1954 Mrs. Ella Herrerias assumed the job of Floor Lady to the end of our 1954 canning season.

I trust that this information will be of assistance to the National Labor Relations Board to complete their files.

Yours very truly,

Sebastopol Apple Growers' Union,
/s/ Elmo Martini,
General Manager.

EM:as
Encl.

1270 *National Labor Relations Board vs.*

GENERAL COUNSEL'S EXHIBIT No. 56A

[Letterhead of Sebastopol Apple Growers' Union]

Mr. David Karasick
National Labor Relations Board
818 U. S. Appraisers Building
630 Sansome Street
San Francisco 11, California

April 7, 1955

Dear Mr. Karasick:

Enclosed herewith are the five year averages of the disposals of our fresh fruit crop.

Very truly yours,

Sebastopol Apple Growers' Union,
/s/ Elmo Martini,
General Manager.

EM:as

Encl.

GENERAL COUNSEL'S EXHIBIT No. 56-B Calif. Apple Growers Council, Inc. - 4/1/56

APPLES -- SONOMA COUNTY
FIVE YEAR RECORD 1950, 1951, 1952, 1953, 1954
TONNAGE, PERCENTAGE, PRICES

Naked Fruit Delivered to Packing House or Processor
Green Tons

	Bearing Acreage	Tons	Totals	Percentage	Price	Gross Farm Value*	Totals
1 9 5 0							
GRAVENSTEINS 7,465							
Fresh		12,650		29.0	\$95.04	\$ 1,202,256	
Canned		9,764		22.4	42.29	412,822	
Juice-Cider		5,866		13.5	31.91	187,822	
Vinegar		3,097		7.1	9.36	28,988	
Un-classified		929		2.1	37.50	34,838	
**Dried & Chops		11,231	43,557	25.8	30.57	344,455	\$ 2,211,181
LATES 3,409							
Fresh		4,223		22.6	96.22	406,337	
Canned		9,423		50.4	49.27	464,271	
Juice-Cider		1,267		6.8	31.07	39,366	
Vinegar		590		3.2	9.88	5,829	
Un-classified		837		4.5	43.64	36,527	
**Dried & Chops		2,338	18,678	12.5	38.28	89,498	1,041,828
			62,235	Total all Apples - - -			3,253,009
1 9 5 1							
GRAVENSTEINS 7,267							
Fresh		10,510		22.9	56.19	590,557	
Canned		8,634		18.8	42.24	364,700	
Juice-Cider		4,830		10.5	18.45	89,114	
Vinegar		2,173		4.7	4.00	8,712	
Un-classified		438		.9	39.09	17,121	
**Dried & Chops		19,545	45,935	42.1	34.30	663,534	1,733,738
LATES 3,409							
Fresh		3,421		12.9	58.58	200,402	
Canned		8,649		33.5	41.74	369,357	
Juice-Cider		3,213		12.3	17.72	56,983	
Vinegar		1,552		5.8	4.00	6,208	
**Dried & Chops		9,375	26,413	35.5	36.40	341,250	974,205
			72,348	Total all Apples - - -			2,707,943
1 9 5 2							
GRAVENSTEINS 6,792							
Fresh		17,621		29.0	71.90	1,266,950	
Canned		14,721		24.2	35.00	515,235	
Juice-Cider		2,843		4.7	17.36	49,351	
Vinegar		2,162		3.6	4.00	8,648	
**Dried		23,375	60,722	38.5	23.50	549,315	2,389,502
LATES 3,484							
Fresh		4,767		15.6	74.29	354,140	
Canned		11,971		39.2	45.00	538,605	
Juice-Cider		4,166		13.6	20.00	83,320	
Vinegar		280		.9	4.00	1,120	
**Dried		9,375	30,559	30.7	39.00	365,715	1,012,900
			91,281	Total all Apples - - -			3,732,402
							44,272
Pulls & Cores		10,427					3,776,674

Q56B

(Continued)



Shaded Fruit Delivered to Packing House or Processor

1950-1954

GENERAL COUNSEL'S EXHIBIT No. 56-C

Bearing Breeders	Tons	Totals	Percentage	Price	Gross Farm Value*	Totals
<u>1 9 5 3</u>						
<u>GRAVENSSTEINS</u> 5,416						
Fresh	24,533		59.5	\$ 52.85	\$ 1,296,569	
Canned	16,322		26.3	56.66	929,936	
Juice-Cider	4,255		8.9	57.70	150,414	
**Dried	17,000	62,110	27.3	44.27	752,650	\$ 3,158,537
<u>LATES</u> 2,910						
Fresh	4,296		14.3	135.44	581,850	
Canned	12,549		41.8	71.26	894,242	
Juice-Cider	1,914		6.4	40.19	76,924	
**Dried	11,260	30,009	37.5	70.00	787,500	2,340,516
		92,119	Total all Apples			5,479,653
Peels & Cores	11,877			7.30	86,702	86,702
			<u>1 9 5 4</u>			5,566,355

<u>GRAVENSSTEINS</u> 5,590						
Fresh	11,772		17.7	75.64	890,434	
Canned	19,828		29.9	56.31 ✓	1,119,893	
Juice-Cider	4,342		6.5	25.24 ✓	109,592	
Pies	180		.3	40.00 ✓	7,200	
Vinegar	2,245		3.3	12.00 ✓	26,940	
**Dried	28,143	66,570	42.3	57.16 ✓	1,608,654	3,762,713
<u>LATES</u> 3,073						
Fresh	6,577		17.9	103.41	680,128	
Canned	17,722		48.2	63.46	1,124,461	
Juice-Cider	2,925		8.0	27.85	81,461	
Vinegar	260		.7	12.00	3,120	
**Dried	9,248	36,732	25.2	58.12	537,494	2,426,664
		103,302	Total all Apples			6,193,377

5-YEAR AVERAGES -- (1950, 1951, 1952, 1953, 1954)

<u>GRAVENSSTEINS</u> 6,506						
Fresh	15,417		25.4	\$ 70.32	\$ 1,049,553	
Canned	13,866		24.3	46.54	868,323	
Juice-Cider	4,431		8.4	26.13	119,259	
Dried	19,818		35.2	37.93	703,710	
<u>LATES</u> 3,257						
Fresh	4,658		16.7	93.59	444,671	
Canned	12,103		42.6	54.14	678,205	
Juice-Cider	2,698		9.4	27.37	67,612	
Dried	8,843		28.3	48.36	424,273	

RECAPITULATION OF PERCENTAGES -- 5 YEARS

	Fresh	Canned	Juice-Cider	Vinegar	Dried	Other
<u>GRAVENSSTEINS</u>						
1950	29.0	22.4	13.5	7.1	25.8	2.1
1951	22.9	18.8	10.5	4.7	42.1	.9
1952	29.0	24.2	4.7	3.6	38.5	—
1953	39.5	26.3	6.9	—	27.3	—
1954	17.7	29.9	6.5	3.3	42.3	.3 (Pies)
<u>LATES</u>						
1950	22.6	50.4	8.8	3.2	12.5	4.5
1951	12.9	33.5	12.3	5.8	35.5	—
1952	15.6	39.2	13.6	.9	30.7	—
1953	14.3	41.8	6.4	—	37.5	—
1954	17.9	48.2	8.0	.7	25.2	—



GENERAL COUNSEL'S EXHIBIT No. 57

[Letterhead of Sebastopol Apple Growers' Union]

1954 - 1955

Sales: June 1, 1954 thru April 30, 1955.

	Cases	Amount	Average Per Case
Apple Sauce:			
Size—24/303	306,967		
6/10	6,466		
24/8 oz.	18,028		
	<hr/>		
Totals	331,461	\$793,329.71	\$2.39343
Pie Slice Apples:			
Size—24/2	187,717		
	<hr/>		
6/10	726		
Totals	188,443	\$695,885.12	\$3.69281

Weight of Finished Products Hauled From Sebastopol Co-op
Cannery to Molino—1,097.687 Tons.



1214

United States of America
Before The National Labor Relations Board
20th Region

Affidavit

I, Ella Herreras, ~~voluntarily~~^{being} having been duly sworn, voluntarily depose and state:

A line at 4241 Volpert Road, Sebastopol, California.
My phone is 3432.

I was first employed at the SABU plant in Molino, California in September of 1952. I don't recall the name of the manager at that time. That manager hired me. I started on the night shift, worked nights two or three days, and then went on day shift, as did all the employees who were retained, for the balance of the season. I don't recall how long we worked in 1952. In 1952 I worked on the line; I was not a floor lady.

In 1953 I started ~~in~~^{out} on the day shift, on the line - not as a floor lady. After two or three weeks I traded with a girl and went on night shift. After a few days Mr. Duckworth asked me if I'd like to take the night shift floor lady job. I took it and kept it until the night shift was laid off. The lay off was about the ^{E.H. & G. paper} middle of November in 1953, as I recall. Mrs. Mary McGuire, who worked in the laboratory, was the only night shift employee, except for me, who was transferred to the day shift; the rest of the night shift was laid off.

Ella Herreras

6/5/58



page two (2)

We both worked on the line on day shift. I quit two or three days before the end of the 1953 season to work elsewhere. After the lay off I worked about two weeks, roughly, on day shift. In 1953, as I recall, the last night that the night shift worked was a Friday night. The first I heard of the lay off in 1953 was when I came to work that last Friday night and Mr. Silva, the superintendent at that time, told me it would be the last night. I, in turn, told the employees. The apples they ran in 1953 ~~were~~ ^{after the lay off} ~~towards the end of the season~~ ^{E.H. all} ~~were~~ ^{late apples; with a few greenstems from cold storage.} ^{E.H.}

On 1954 I returned to work on July 9, 1954 ^{after work started a few days later,} I assisted in training the new floor lady, Edna Hardin, who had no experience in sliced pie apples. ^{The first few days} we registered the employees who reported for work assignments. It is my understanding that prior to July 9, 1954 employees were contacted by post cards and asked to report. In registering the employees we tried to give them their preference as between day shift and night shift. We did not try to put the best employees on night shift and the ones that were

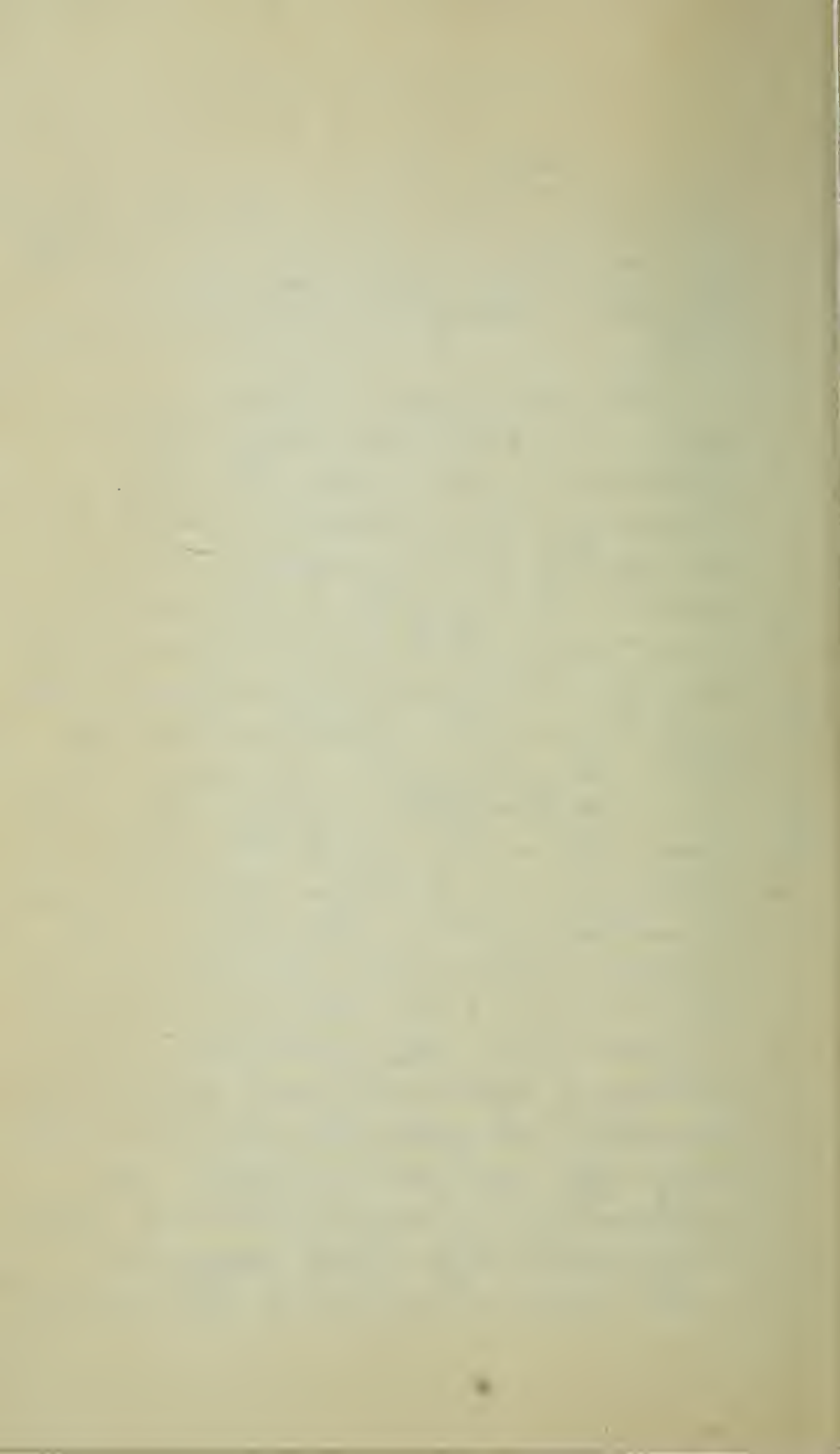


page three (3)

less satisfactory on day shift. Then, during the season, when it was possible, we ~~transferred~~ ^{E. N.} granted transfers from one shift to another, although we tried to discourage this.

after the lay off on October 15, 1954 I became day shift floor lady. Elsie Dickerson worked under me then. I discharged Mrs. Dickerson. I don't recall the date I discharged her, nor do I recall the day of the week. Mrs. Dickerson was very, very talkative and disturbed other employees. She was working on the seed celler, the slicer, when I first noticed this. Then Mrs. Dickerson asked me if she could ~~be transferred~~ ^{E. N.} go back behind the lines, that is, to go on the train belt one afternoon, and I let her. That afternoon I noticed apples in the water, in the trough, that had been double cored and then had had a core shoved in one of the two core holes. That first afternoon I noticed at least 5 or 6 such apples. When I noticed the apples that were fixed this way they were coming through the squirrel cage. I removed two such apples and showed them to the inspectors, the women who work on the second

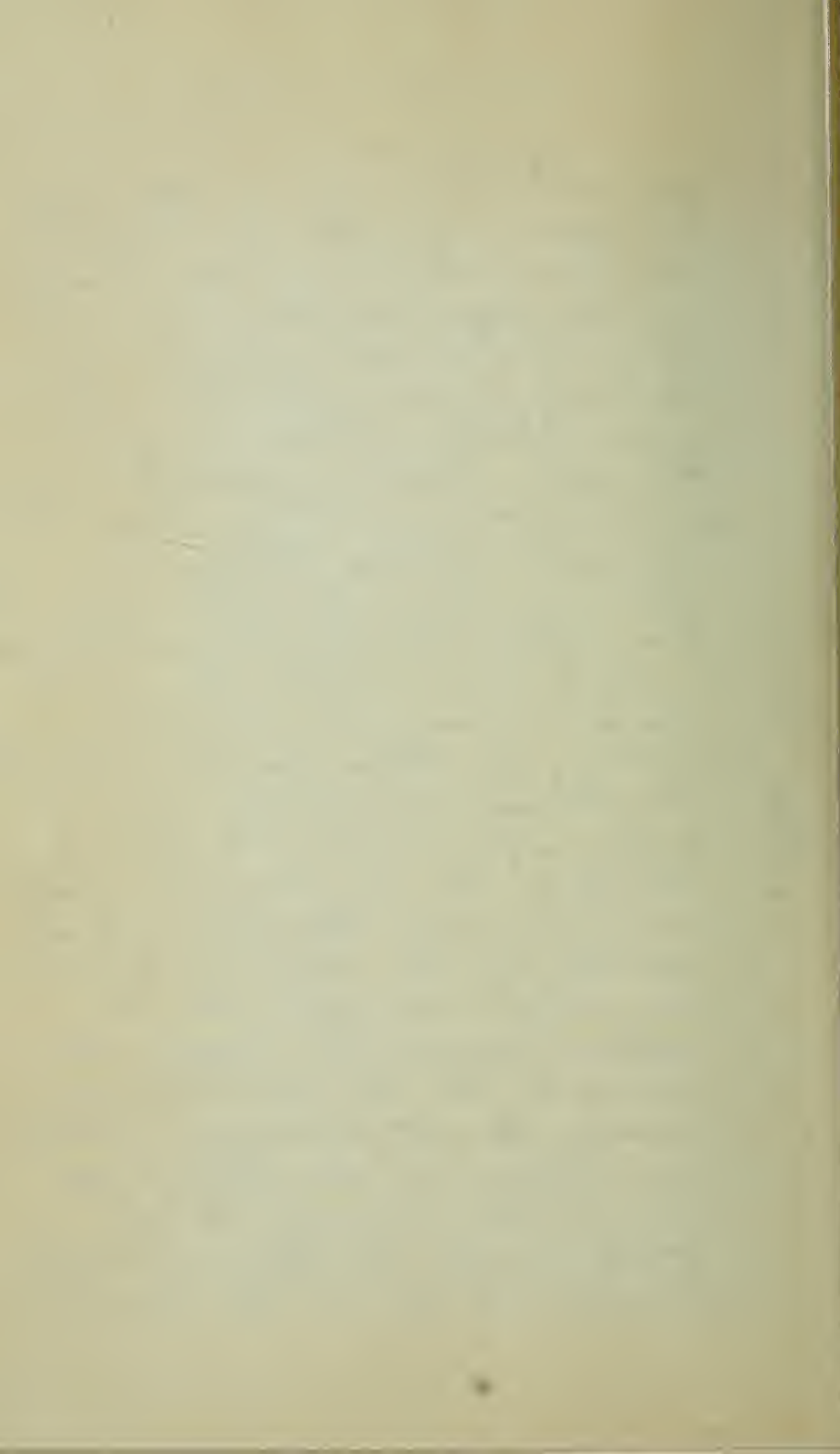
Elsie Dickerson



page four (4)

train belt, and asked them if there many
such apples coming through. I asked
Mrs. Chicano, ^{if} ~~as~~ I know. Mrs. Davello,
Mrs. Mahoney and one other woman were
also on that belt. I also asked Mrs. Davello,
but I don't recall asking the others. They
replied that they had taken out a few
such apples. I took one of the two such
apples and showed it to Mr. Duckworth,
and I said, "I've been ^{E.H.} watching Mrs.

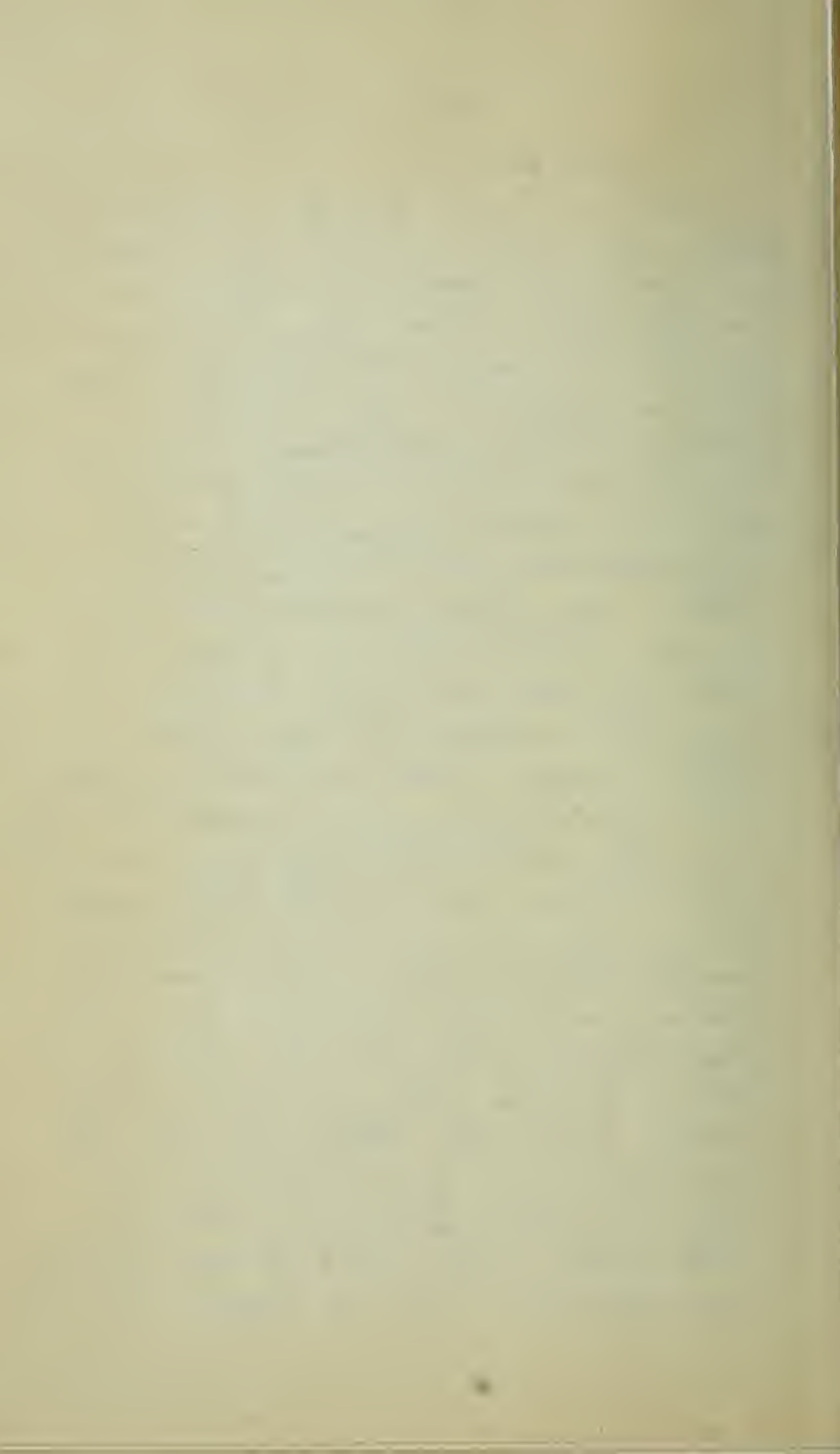
Dickerson is doing this to the apples. I've been watching her." Mr. Duckworth ^{and I} said, "I don't recall what Mr. Duckworth replied; he may have said to keep watching her. Before going to Mr. Duckworth with the apple I went back up the line to try and find out who was cutting up the apples this way. I went to a position behind the peelers. The peelers are elevated above the first trim belt. Mrs. Dickerson was on the first trim belt. From that position I observed the employees who were on the trim belt. There were four women on the belt, as I recall. I watched Mrs. Dickerson; she was talking away with the other women on the belt, Isabelle Amaral, Mrs. Albini, and Gertrude Jones, she was next to Mrs. Amaral, as



Page five (5)

I recall, and I saw her pick up an apple, bore a hole in it with her knife, put a core in the apple, and then put it in the trough. I saw Mrs. Dickerson do it to two apples that first afternoon. I did not speak to Mrs. Dickerson about it. That first afternoon I did ask Mrs. Chicano and Mrs. Davello to be sure and catch any apples fixed the way ^{that} I saw Mrs. Dickerson fixing them. Mr. Duckworth was the only person I told that Mrs. Dickerson was doing this, as I recall, although I may have mentioned it to Mr. Williams, the manager; I did not tell the inspectors who was doing it. I don't recall whether it was in ^{the} ~~the~~ day, ^{or} ~~or~~ morning, ^{or} ~~or~~ afternoon.

The next morning, Mrs. Dickerson went to ^{work} ~~work~~ on the next cellar. Then, without asking my permission, Mrs. Dickerson went back on the train belt. I saw Mrs. Dickerson on the train belt after lunch. I didn't say anything to Mrs. Dickerson. I did go to Mrs. Chicano, and probably Mrs. Davello too, ~~and~~ ^{and} ask them to watch and see if any more of those double cored apples came through. Then later, I went back to Mrs. Chicano and she showed me an apple she



page six (6)

had put to one side. The apple was doubtly cored and had a core in it. I asked Mrs. Chicano if there had been very many and she said not as many as the day before. I took the apple and showed it to Mr. Duckworth, and asked him what I should do. Mr.

Duckworth said, "Let her go." He wanted me to let her go then and there, but I ~~it~~ didn't want there to be any disturbance and so I said we'd better wait until the end of the day and he agreed. I can't recall whether it was morning or afternoon that I spoke with Mr.

Duckworth about Mrs. Dickerson on this second day. I did not mark Mrs. Dickerson's time card until closing time that day; I marked it "released". I did not speak to Mrs. Dickerson before I spoke to Mr. Duckworth. So then

at quitting time I told Mrs. Dickerson that I was ~~to~~ sorry but ~~let~~ ^{did} have ^{on her way} to release ~~you~~ her. She was about ^{on her way}

^{over} to time out when I told her. She said, "Why?" and I said because she'd cored the apple and put a core in it. She turned to a friend and said something like, "What

Mrs. Dickerson said, "I was only playing. I didn't mean any harm by it."

E. L. Dickerson



page seven (7)

do you know I just got fired for ^{or putting} an extra core in ^{the apple} and that she had done it before.

I had not seen Mrs. Dickerson double core an apple and put a core in it the second day, the day I discharged her. I assumed that she had done it because I had seen her do it the day before and because it hadn't happened when she was not on the belt.

I recall a woman who worked under me ^{on} during the night shift in 1954 called Pauline Ploxa. I hired her. She had worked at the COOP previously, as had Dora Rawles, a friend of Ploxa's, that I think I hired at the same time. Ploxa and I are both Spanish, from the same home town, and we spoke in Spanish together. I recall that one afternoon she was kind of quiet and I asked her, "What's on your mind?". Ploxa said "there is a union meeting tomorrow, and I don't know whether to go to it or not." I asked her why ~~she~~ didn't she go, and she said maybe she would. Ploxa said, "I'll let you know who is there." I said that if she wanted to tell me anything it would be alright."



page eight (8)¹₆

So then, either the ~~next~~ day of the meeting or the day after, I stopped where Ploxa was working and I asked, "What's new?" "I don't recall her answer, but it was not much. Then ~~Ploxa~~ I said, "Was there a big crowd?", or something like that. Ploxa switched to Spanish and said, "I don't want ^{the girl next to me} ~~to~~ (meaning Dora Rawle) to know what we're talking about." But Ploxa didn't volunteer any information then, and I didn't ask for any. We did go off in a discussion, but not about anything in particular. I asked Ploxa who was at the meeting, but she didn't tell me and I didn't press her. This was before the lay off, but I can't say whether it was one or two weeks before.

Other than I have reported above, I have no recollection of any conversations with Pauline Ploxa in which the subject of the union or anything about the union came up; I have no recollection of any such conversation in the ladies restroom.

I recall that Ploxa phoned me and said she couldn't come to work one day and I said it would be alright; that Ploxa then went on to say that Mary Sidell (who I didn't know) was a trouble maker and I



e. H.
CONTINUED page nine (9)

should watch her; that Mary Sidell was a union organizer. When I said I didn't know who Mary Sidell was, Ploxa described her to me. I said the woman hadn't given me any trouble and that I hadn't seen anything out of line. She said, "Well be on your guard," and I said, "Well, thanks for the information," and hung up. e. H.

I have no recollection of asking Ploxa where her union button was the day the employees wore them to work. The day the employees wore their buttons to work was a Thursday, the day before the lay off was announced. I don't recall whether Ploxa wore a union button or not. There were very few buttons worn on the night shift that I could see. There may have been some hidden that I don't know anything about.

I recall an employee that I fired against Edna Hardin's advice in 1954, Mrs. Sarah Findsay. Later, I had to fire Mrs. Sarah Findsay for the same reasons, throwing untruncated apples in the water, that Edna had fired her at Mangana. At the same time I fired her daughter-in-law.

e. H. H. H. H. H.



page ten (10) ⁶ P.

(I don't recall her first ~~name~~ ^{name}) — (?)

Jindsay, and Ethel Whye. — (?) Jindsay was too slow and didn't speed up after I'd warned her. Mrs. Whye had worked at SABU in 1953. She also was extremely slow, and was somewhat ingudent as well. I had asked that no card be sent to Whye in 1954, but one was, and I accepted her when she reported. But I had trouble with ~~Whye~~ Mrs. Whye; she talked too much and the seed cellar became a bottle neck. I told Whye to stop talking, and she turned to her neighbor and said that now she was getting bawled out by the slave driver. I had warned her about talking too much before this too. But I kept her ^{a few days, until we went back on sauce.} only for the rest of the shift. ^{The} That night I let the two Jindsays and Whye go ^{go} too. The next morning an employee, I don't recall who it was, told me that Whye was a union organizer and that Mrs. Jindsay had been talking for the union too. I hadn't heard what any of these three women had been talking about, but I had surmised that they were union. They were always talking to the other women and they would shut up when I came by.

The older Jindsay, Sarah wasn't there that night, but I told the other one to tell Sarah. Sarah didn't come back, although the daughter-in-law said why wouldn't see Sarah.

Tells Aired



page eleven (11)

I told the Jindsay girl (— (?) Jindsay) I was letting her go because she was slow. After I let the three women go, I recall, Edna Hardin spoke to me, while we were at the plant, about it. She said, "You are being black balled by the union." I said, "Why?"; ~~the~~ and Edna Hardin said, "Because you fired those three women." I said that she had warned me against Mrs. Jindsay and that I took her against your advice; that I'd let the other Mrs. Jindsay go because she was extremely ~~slow~~ slow; that I'd let Mrs. Whyte go because she was continually talking and disturbing the other girls and called me a slave driver. I told Mrs. Hardin, "I got rid of three agitators, from the information the girls have given me." This was at the plant; not over the telephone. Mrs. Hardin may have said something about Mr. Duckworth having said that we were not to fire the girls who were for the union. I replied that nothing like that had ever been told to me. (Mr. Wilkins, not Mr. Duckworth, gave me my orders, generally.)

On the Monday ~~morning~~ ^{afternoon} of the week the lay off was announced I first



page twelve (12)

heard of the lay off. It was Monday, I'm pretty sure, when I reported to work at about 3:30 pm. Mr. Duckworth spoke to me then; he said, "We are going to one shift. You're going to be the floor lady. We're going to have the lay off Friday. You make your list and take who you want. Pick out your best workers and get as many as ~~it~~ possible who are non-union — or words to that effect.

He may have said to get rid of the pro-union people, or the "trouble makers"; I'm not sure of just how he put it. I told him I didn't know who was union and who wasn't, not too many, and so I would just have to pick out my list and I'll leave out most of the COOP girls because they came in last, and I'll try to weed out my slow ones. I said that I didn't know how many were for the union on my shift because they didn't talk much. Mr. Duckworth said, "Well, make up your list and have it ready for the office by Thursday."

So on Tuesday, the next day, I started checking my girls and finding out which were my slowest workers.

page thirteen (13)

I had a typewritten list of the names of all the girls on my shift. Mrs. McGuire gave me this list for my own personal use and information. I weeded out my poorest girls and the young girls. I checked the names of the ones I was going to let go. I think there were roughly 72 names on the list, and that I eliminated from 12 to 15 employees. The 12 to 15 employees I checked on the list to eliminate I decided upon on the basis of their relatively poor work ^{efficiency} ~~efficiency~~. I recall eliminating Margaret Rufino, who had a union button on, who was very slow and did a lot of visiting as well; also Merle Scott, whose daughter-in-law Barbara Mizelle told me, in effect, that she (Merle Scott) didn't need the money and who also wore a button. Those two are the only ones I eliminated that I saw wearing a union button that I eliminated. I don't recall that I kept any employees who were wearing a union button. I don't recall seeing any employee, except for Margaret Rufino and Merle Scott, on my shift wearing a union button. If any others wore ^{union buttons} ~~union buttons~~.

page fourteen (14)

they were hidden or I didn't see them. I didn't have anything except a rough idea of the relative seniority of the employees; I did not go back and check the hiring dates on the applications. Mr. Duckworth did not tell me that I was to weed out any certain number of employees; I was on my own in deciding that. Most of the girls I let go were from the COOP, but I was going to keep Pauline Ploxa and Dora Rawles and Mary Cordell, all of whom were from the COOP. I am pretty sure that I still have this list that I checked; I think it was returned to me after I turned it in to the office. I turned the list into the office on ^{Wednesday or} Thursday, the day before the lay off. As far as I know, the office eliminated only the girls whose names I'd checked; there were no changes. On Wednesday or Thursday, after my shift had started work, I was told to report to the plant office. At the meeting in the office that followed, Mr. Duckworth, Charlie Williams, Denny Shuster, Johnny Aguire, Steve Strumpf, Ester Doty, and Mr. McGuire, and I were present. Mr. Martini was not

Ella Venema



page fifteen (15)

there, and neither was Edna Hardin (who was out ill). ~~Mr.~~ Mr. McGuire read the names of the men who were employed there, and, as he did so, the particular supervisor of the employee would say whether he wanted to retain the man or not. Steve Strumph was consulted about the men under him in this fashion. The supervisors would say "we can get along without him", or "we have too many in that ~~classification~~ ^{classification}" or remark that the man was a particularly strong union man. I don't recall Mr. Storey's name being mentioned. When they said that somebody was a strong union man the man so described was eliminated. Only the men supervisors were consulted about the men employees. Then Mr. McGuire read the names of the women on day shift. They discussed each woman as they went down the line. I only spoke about Lenore Johnson, I said she was definitely very strong (she had worked under me); and Louise Chapson who I said I wished they'd eliminate (I had personal reasons not connected with the union) but who they kept (they said she was

Ella Harwood



page sixteen (16)

a good con girl). Mrs. Doty spoke, rather reluctantly, about some of the girls. She said she didn't know too much. I don't recall any one of the men supervisors' commenting on the names of the women workers more than another supervisor did. Some they said were poor workers; some that they had too many and would have to release; and some that they were for the union. They would sometimes say that they were not sure that the woman was for the union, or that they didn't know. They specified how many women and how many men they wanted to keep. I think that about 27 or 30 women were retained of the day shift employees. My list wasn't discussed at this meeting, nor was it discussed with me afterwards prior to the lay off on Friday. After we finished with the women the meeting broke up.

I recall the NLRB election. It was on a Tuesday, the week following the lay off. After the election there were some women who'd been out ill at the time of the lay off that I put back to work. I also reinstated some people from the COOP after the COOP shut down.

Excluded
Revised



page seventeen (17)

These COOP people had worked at SABU the year before. I was never instructed to recall any of the employees who had been laid off, except for Elta ~~Orton~~ (spelling?). Duckworth told me to put Elta back to work; no particular reason; she was just there and wanted work.

Mr. Matthews of the NLRB has shown me a list of names: eight typewritten pages, each bearing the statement "2-4-55. I received this list from Erma Bates. It was shown to Mr. Duckworth, Mrs. McGuire, Arny Brock, and on one occasion it was on the table in the lab at the plant," ^{THAT STATEMENT IS CORRECT.} followed by my signature. Erma Bates, an employee who worked under me at SABU, brought the list to my home at noon one day. I was preparing lunch when she came in, took the list out of her pocket and said, "Here's a list of the girls." I said, "What's that for? Where did you get it?" She said, "I got it at a meeting." Then she left. I think her son was driving her in the car; she doesn't drive. She didn't say what I was to do with the list. I don't think Erma Bates was there five minutes. I asked her if she wanted a cup of coffee, 3



page eighteen (18)

but she said "no"; that she had to go. Erma was on the night shift at this time. (After the lay off, Erma was on days) This was on Saturday, October 16, 1954, the day after the lay off. I know we didn't work that day at all, so it must have been that Saturday. So then, the same day, about 5:00 pm., I phoned Mr. Duckworth at his home, I told him I'd been given the list and didn't know what to do with it. I said I was going to a friend's home out his way, would stop at his house. So I took the list to Mr. Duckworth's home and left it. I wanted to talk with Mr. Duckworth about the list, but I gathered he'd been drinking so I didn't try. I went to my friends.

My husband saw Erma Bates at my home on October 16, 1954. That night, on the way home from the party at ~~my friends~~ Louise Chapson's, I told Mrs. ^{George} Kennedy that Louise Chapson's name had been on the list; that, contrary to what Louise Chapson had told her (Mrs. Kennedy) Louise Chapson had signed a union pledge card as I knew from a list of such people I'd received that day.

6-11-54

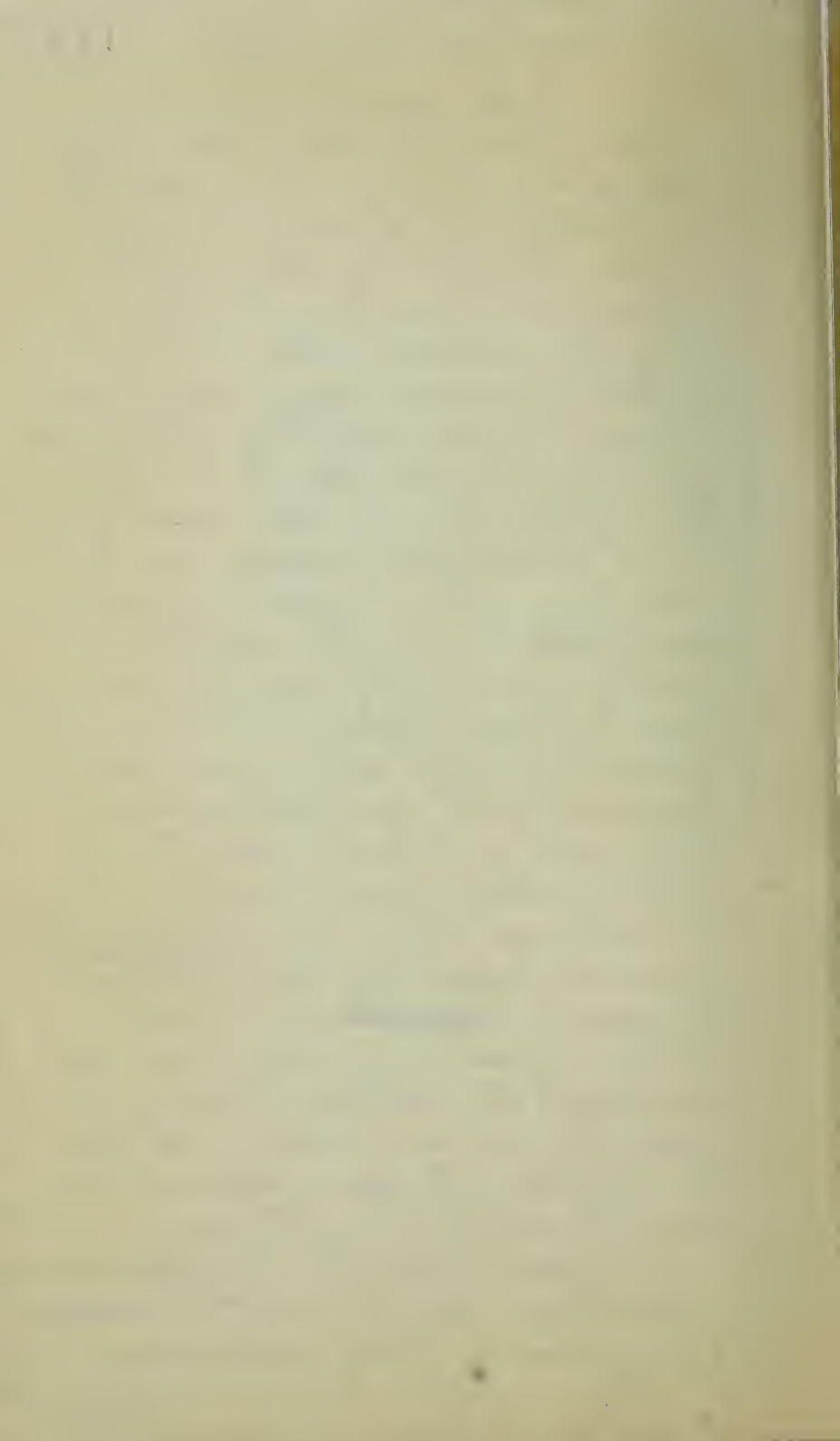


page nineteen (19)

When I gave Mr. Duckworth the papers I asked him to return them to me the following Monday morning for sure. But on Monday, Mr. Duckworth didn't bring the papers and, when I asked about them, said he didn't remember my giving them to him. He said he'd bring them the next day. I asked him to be sure and hand them to me. The next day I was standing downstairs and he came to me and said that my papers were ~~the~~^{up}stairs on the desk. So I went up immediately and got the papers. Edna Hardin was there in the room when I got the papers. The papers were the papers I've referred to above that I received from Erma Bates and that I have signed under the statement dated 2-4-55. I took the papers home and ditched them ^{at the plants}. I showed the papers to ~~my~~^{my} Mrs. Mary Mc Guire the same day, telling her I'd received it the previous Saturday. A couple of weeks ago I showed the list to Sney Brock, again to prove the point about Louise Chapoon.

I have never told Mr. Duckworth or Mrs. Mary Mc Guire, or Mrs. Kennedy, or Sney Brock that I'd received the papers from Erma Bates.

Erma Bates



General Counsel's Exhibit No. 58—(Continued)

page twenty (20)
and none of them asked me.

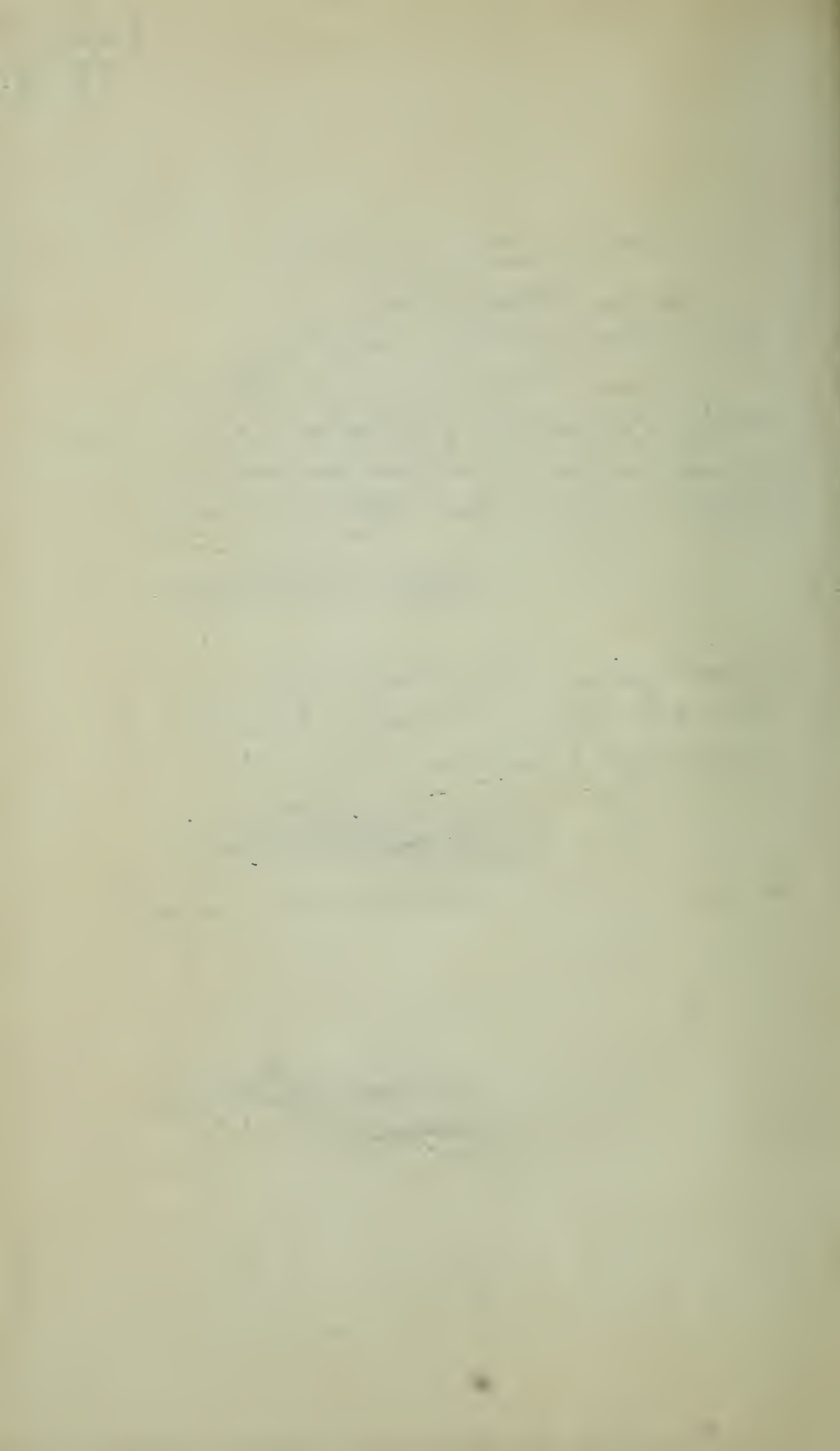
I have carefully read the above statement consisting of twenty (20) handwritten pages and swear it is true and correct to the best of my knowledge and belief.

x Ella Herreras

Sworn and subscribed to before me.
This 9th day of February, 1954 at
Sebastopol, California

x Gayle D. Markson
Field Examiner, NLRB

x William Grami
Witness



GENERAL COUNSEL'S EXHIBIT No. 59

[Check Stub—Employee's Copy.]

Name—Gloria Pate. Emp. No.—7101. Period ending 10/23. Days or Hrs.—2. Rate—.95. Regular—1.90. Total—1.90. F.U.I.C.—.04. Dis. Ins.—.02. Inc. Tax—(blank). Deductions—.06. Net Pay—1.84. Sebastopol Apple Growers Union—Sebastopol, California.

RESPONDENT'S EXHIBIT No. 6

Mr. Gerald A. Brown February 18, 1955
Regional Director
National Labor Relations Board
630 Sansome Street
San Francisco, Cal.

Dear Mr. Brown:

I am hereby requesting to have a statement taken from me returned at the earliest convenience. This statement was taken in the Sebastopol office by Mr. Lafayette D. Mathews Jr. in the morning of Feb. 9, '55, and to me this statement was made in a very illegal, unethical and immoral matter.

I am requesting the return of this statement because at the time it was taken I was in a very highly nervous condition as I pointed this to Mr. Mathews yet he insisted to cross examine me and demand my signature that I had to sign which was about 1:30 A.M. I will try to give you a brief detail in the circumstances under which this statement was taken. In the afternoon of Feb. 8, 1955,

Respondent's Exhibit No. 6—(Continued)

I received a telephone call from Mr. William Grammi, an organizer for the A. F. of L. who wanted to know if he and a friend could come out to my house and talk to me. I told Mr. Grammi that it would not be possible to see them at my home and he ask if I could come to the Union office in Sebs. to meet his friend that it would be to my benefit if I did. I told him that I could not make it then. Mr. Grammi wanted to know if I could come down that evening and I told him that I would be there.

When I arrived at the Union office about 7:30 P.M. Mr. Grammi talked to me for about 5 or 10 minutes alone telling me that he wanted to help me, and to tell the truth to Mr. Mathews. I was introduced to your Mr. Mathews. After identifying himself, Mr. Mathews made me take an oath to tell the truth and seeing his card with his picture and U. S. Government printed placed before me, I received the impression that he was an F.B.I. man and not a labor man. He also stated that since I was under oath to tell the truth, otherwise I would be committing purgery. Mr. Mathews then proceeded to ask me many questions and to question me about many things over a period of six hours. He also made me initial corrections of the statement which he was writing and sign my name on each page. After he had finished his questioning and writing up the statement, he again made me take an oath and asked me if I would sign the statement right then. I told him I was quite tired

Respondent's Exhibit No. 6—(Continued)

and confused and did not know what I was doing and I asked him if it was necessary for me to sign right then. He said that it was. So after going through an ordeal of some six hours of very trying circumstances and of great mental and physical strain, I was compelled to sign the statement. This was at 1:30 A.M. of Wednesday, February 9, 1955.

I am sure Mr. Brown that you will not tolerate such action on the part of one of your employees of taking such statement under these circumstances and that you will see that this statement is promptly returned to me.

Thanking you in advance, I remain, yours truly,

Mrs. Ella Herrerias.

RESPONDENT'S EXHIBIT No. 8

Employment Application

Date: May 24, 1954

Print name in full: Storey, Clarence E.

Permanent address: Burnett Ave., Seb., Calif.

If married, give wife or husband's full name—Storey, Orice.

Social Security Account No.: 439-09-0854. Male [X]. Date of birth: Jan. 11-1911.

In case of accident notify: Orice Storey. Relationship: Wife. Address: Same. Phone: Seb. 2403. Dumper.

Signature of Applicant: /s/ C. E. Storey.

RESPONDENT'S EXHIBIT No. 12

Regular Meeting of the Board of Directors October 12, 1954 Sebastopol Apples Growers' Union

Present: Bondi, Guerrazzi, Winkler, Miller, Roberts, Cordoza, Hankins, Batten.

Absent: Briggs.

Chairman Bondi called the meeting to order at 7:45 p.m.

The Minutes of the Regular Meeting of September 15, and Special Meeting of September 28 were approved as mailed.

Mr. Oscar Hallberg and Mr. Frank Trigiero were present and asked the Board of SAGU wished to become a member of the National Apple Institute. Mr. Hallberg stated that the California Apple Growers Council would be host to the National Apple Institute next year at their convention which will be held in San Francisco. An assessment of 5c per green ton from processors and packers in this area would give their organization sufficient funds to retain an office in Sebastopol on a year around basis, and could be under the direction of Mr. Frank Trigiero. After discussing the matter, the Board stated that they were in favor of this assessment, and would retain membership in the Apple Growers Council, which actually is a part of the National Apple Institute.

The Manager gave a report on the fresh fruit movement and cannery production, in both sauce and slices. The Manager stated that our warehouses

Respondent's Exhibit No. 12—(Continued)

were becoming filled very rapidly and our production was up considerably over last year.

A discussion was held by the Board regarding the production in the cannery and warehouse space available. Also discussed was the remaining fruit to be harvested and brought in to our plant. Estimated tonnage to be brought in by our growers was approximately 250 tons, and considerable amount of this would be shipped fresh. After a lengthy discussion on the matter the Board felt that due to these conditions, it would be advisable to go on a one shift basis in our cannery, as the warehouse space was practically filled and movement of canned merchandise at this time was far less than our production. Winkler motioned seconded by Guerrazzi that the Board go on record in favor of closing our night shift in the cannery as soon as feasible, and this matter be left up to the discretion of the Manager. Motion unanimously passed.

Roberts motioned, seconded by Cordoza that the Manager be authorized to apply for a loan of \$250,000.00 from the Bank of America. Motion carried.

Mr. Wilson read in detail the Balance Sheet of SAGU as at September 30, 1954.

The Manager stated that Gerbers were interested in purchasing a quantity of Red Romes from us. After discussing the matter, it was felt that we review our requirements before a decision be made.

There being no further business to be brought be-

Respondent's Exhibit No. 12—(Continued)
fore the meeting at this time, the meeting was adjourned at 11:40 p.m.

/s/ Lee Guerrazzi,
Secretary.

I certify that this is a true copy.

/s/ Lee Guerrazzi,
Secretary.

RESPONDENT'S EXHIBIT No. 13

The following employees are asked to report for work Monday morning, October 18th.

Albini, Dora; Allen, Lois; Allman, Mildred; Ameral, Isabele; Armbrust, Jouce; Augustin, Elizabeth; Bartlett, Marie; Bate, Erma; Bertoli, Gereline; Bills, Julia; Bonar, Julia; Brennan, Ruth; Brock, Inez; Brown, Gladys; Butler, Dolores.

Caddel, Mary; Cameron, Harriet; Castino, Mary; Chapson, Louise; Chicano, Virginia; Clark, Ruth; Cuttress, Valeria; Davello, Clara; Deal, Ruthie; DeWitt, Betty; Doty, Esther; Drake, Francis.

Elmore, Hazel; Elmore, Jean; Elvy, Cora; Fishelson, Ida; Frank, Charlotte; Freyling, Dolores; Freyling, Marcia; Gale, Maude; Gesek, Dorothy; Gulledge, Daisy.

Hack, Ernestine; Hardin, Edna; Harris, Mary; Herreias, Ella; Howes, Georgia; Jacobus, Vita R.; Johnson, Melba; Johnson, Willie; Jones, Gertrude; Kounovsky, Evelyn; McAfee, Bernice; McDermott,

Respondent's Exhibit No. 13—(Continued)

Vita; McGuire, Mary; Mahoney, Goldie; Mizell, Barbara; Napier, Rennie; Niemi, Selma; Noble, Mary.

Perry, Catherine; Pesenti, Claudia; Reynolds, Rosette; Ponceia, Anita; Rettela, Gertrude; Reece, Gertrude; Schoenthal, Elizabeth; Smith, Jessie; Susoff, Ruth; Thorp, Ilah; Veach, Shirley; Wake-land, Geneva; Wilson, Edith; Zimpher, Patricia.

Men

Anderson, William; Augustin, Willy; Bennett, Laurie; Bertoni, Joe; Bressie, Elbert; Chapman, Orland; Coppock, Irvin; Correria, Frank; Crown-over, Lee; DeVilbiss, Robert; Donner, George.

Falorni, Adolfo; Festa, Enrico; Foster, Herman; Garcia, Jose; Gulledge, Lonzo; Gulledge, Martin; Hall, Sidney; Heflin, A. C.; Higgins, Edward (Jim); Jiminez, John; Johnson, Raymond; Jun-gers, Oscar; Lee, Robert; Lewis, Victor; Masuoka, Frank; Mills, Lloyd; Chicano, Salvatoe.

Narron, Henry; Neel, Fay; Oandason, Andy; Panellin, Ray; Papera, Oliver; Poggi, Joseph; Rod-riquez, Edward; Smith, Wayne; Snodgrass, Rob-ert; Struempf, Steve; Tallman, Lester; Todd, Ger-ald; Tsurumoto, George; Wood, Robert; Yeager, Kenneth.

RESPONDENT'S EXHIBIT No. 14A

Sebastopol Apple Growers
Deliveries and Useage—1953

Deliveries (In Tons)

Fresh	8,372.19
Cannery	4,583.17
	<hr/>
	12,955.36

Useage (In Tons)

Packed fresh.....	4,510.30
Processors	595.62
	<hr/>
	5,105.92
Delivered to dryers.....	995.94
H. A. Rider	228.16
Sebastopol Coop. Cannery ...	155.34
Cannery	6,470.00
	<hr/>
	12,955.36

Cannery Production

Size 303 (1 lb. 1 oz.).....	132,269
	111,584
	<hr/>
	243,853
Size 307 (#2) (20 oz.).....	75,256
	48,783
	<hr/>
	124,039
Size 610 (6 lb.-10 oz.).....	3,441
	4,896
	<hr/>
	8,337
Size 211 (8 oz.) (Packed by S.C.C.)	13,770

RESPONDENT'S EXHIBIT No. 14-B

Castopol Apple Growers, Inc.

Deep H. Delmonico
Jan 1962 - 1964

No.	Variety	Total Delmonico		Grass	Cull's	No. 1 Cannery	Back But	
		Cannery	Packing				Butter	Regular
	Alexander	13227		178		13049		
	Arkansas Black	25869		4568		21301		
	Baldwin	289895		23222		266673		
	Bellflower	95159		7292		87867		
	Best Hawaii	5261		1024		4937		
	Black Twiggs	71516		3520		67996		
	Bonar Twiggs		46546	130	20961			19455
	Cook Seedlings	12592		303		12289		
	Golden Delicious		84177		18362			65815
	Golden Delicious		710880	37730	416411			256739
	Gruenstem		3191744	298242	1014690			218181
	Gruenstem		8752121	147600	4191952			212569
	Gruenstem	4600351		4979121		4102437		
	Greenings	1213797		66707		1147000		
	Hosmer	964				964		
	Improved Late Hawk		1783		420			1357
	Jonathan		921603	10647	371719			359237
	Jonathan		501984	18892	265580			28012
	Juice	5119		5119				
	King David	1108		32		1076		
	Kings	359173		7052		351621		
	Late Hawk		41742		6682			35660
	Late Hawk	3216	3162	297	406	3216		2439
	Macintosh		51228	2	8985			42241
	Macintosh		40933	723	22887			47323
	Mixed Late	31397		5083		26314		
	Mock Hawk	489	22946	128	6823	489		15495
	Mock Hawk	24201		1417		22784		
	Mutson Pippins	476494		52722		423772		
	Parmain	6196		92		6102		
	Rd. Delicious		4013		823			3190
	Rd. Delicious	265		16		249		
	Rd. Hawk		124278	2190	20444			81315
	Rd. Hawk		21143	120	4933			12872
	Rd. Hawk		372610	5781	162383			204450
	Rd. Honey		205921	8390	114033			83498
	Redbrook Hawk	60241		158	29070			31013
	Redbrook Hawk		5315	112	2170			3033

Red 14B

Ex. # 2

Delaware Apple Growers Union
Recap of Deliveries
Year 1953-1954

No.	Variety	Potomac Deliveries		No. 1	Pack Out	
		Common	Packing	Common	Choice	Regular
	Smith Cider	16850	1174	15676		
	Spitzenberg	284263	51721	232542		
1	Standard Delicious	115783	464	28018		86801
2	Standard Delicious	351476	13793	152268		185415
	Standard Rome	1084445	56639	1027806		
1	Starking Delicious	321046	1370	48415	54252	217009
2	Starking Delicious	494701	16810	251727	45234	180930
	Delaware Fruit	334263	5973	318290		
	Hagmars	141447	21538	119909		
	Whisper	15712	653	15059		
	Winter Banana	61489	2540	58949		
	Winter Bells	682	18	664		
		9166340	16744387	1380098	7160694	8349321
					828033	8597581
		459317	9372.19			
			4683.17			
			<u>12455.36</u>			

Packing Fruit:

RESPONDENT'S EXHIBIT No. 14-C

NATIONAL LABOR RELATIONS BOARD
CASE NO. 20CA1035 BOARD
PETITIONER
RESPONDENT
EXHIBIT NO. 14-C
IN THE MATTER OF: Sab. Apple Growers
DATE: _____ WITNESSES: _____
BY: RTR OFFICIAL RESPONDER

RESPONDENT'S EXHIBIT No. 15-A

Sebastopol Apple Growers Union

Deliveries & Usage
1954Deliveries (2 Ins)Dash
Cannery.

1137121
<u>536983</u>
1674104

Usage: (2 Ins)Packed fresh
Provisions

464848
<u>112151</u>
576999
<u>86708</u>

Deliveries
Sebastopol Coop. Cannery
H.A. Baker
Cannery

143280
<u>20592</u>
246525
<u>1674104</u>

Cannery Production:

Size 303

124939
<u>77459</u>
202398
<u>65322</u>

(Packed by S.C.C.)

267720

Size 307 (+2)

113747
<u>72629</u>

186376

Size 610

9820
<u>1564</u>

11384

Size 211 (Packed by S.C.C.)

15265

NATIONAL LABOR RELATIONS BOARD

CASE NO. 20CA1035

EXHIBIT NO. Resp 15A

IN THE MATTER OF

Sebastopol Apple Growers Union

DATE

WITNESS

OFFICIAL REPORTER

RE 2nd. 752

GROWERS' DELIVERY JOURNAL

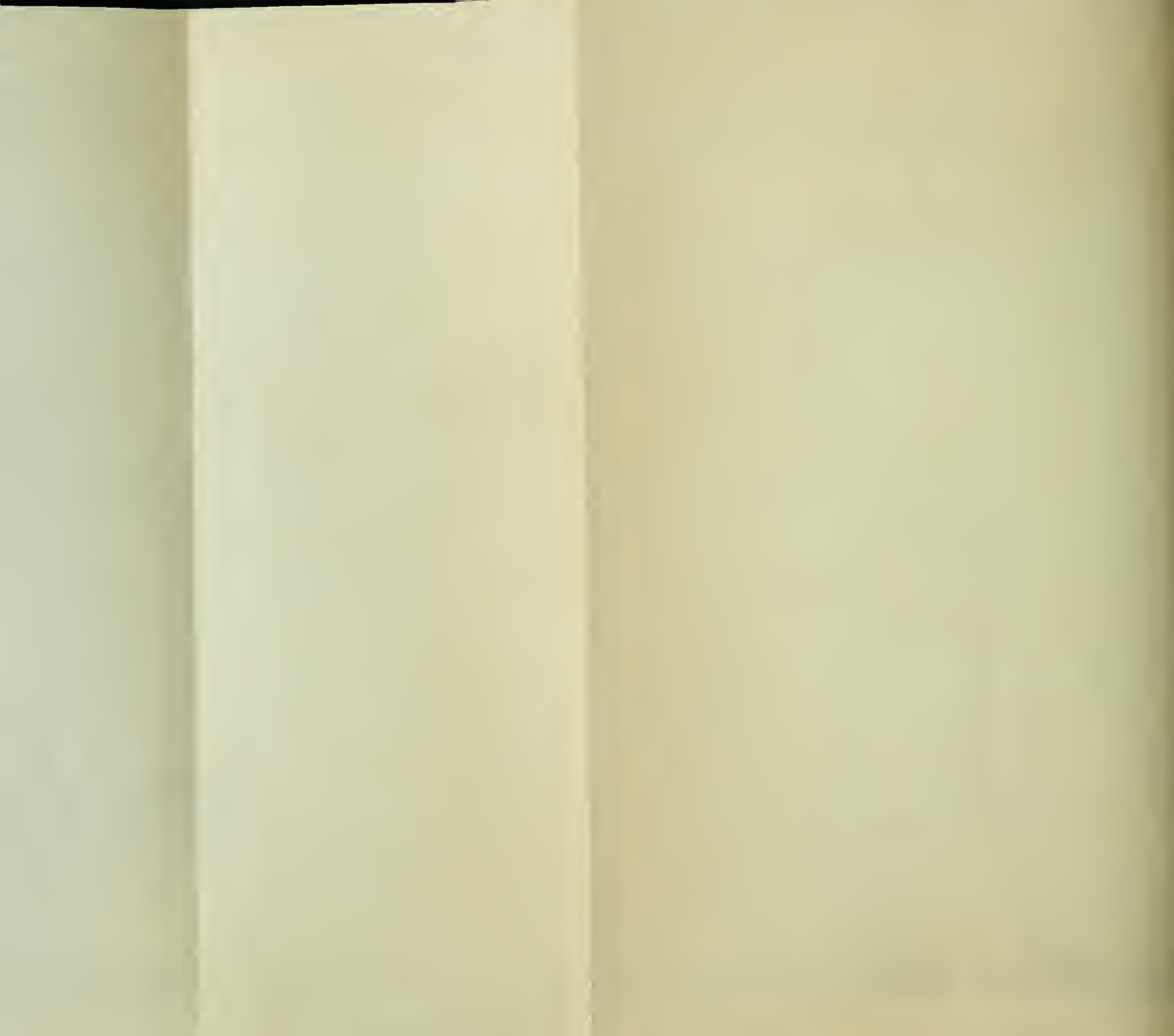
SEBARTOPOL APPLE GROWERS UNION
SEBARTOPOL, CALIFORNIA

SEBASTOPOL, CALIFORNIA

Cocking Summary
To Nov. 30 1892

Red
Lakes
Pine
1885.

VARI- ETY	DELIVERIES PER TON	DATE	P100's		P175's		P200's		P250's		P300's		P350's		P400's		P450's		P500's		P550's		P600's		P650's		P700's		P750's		P800's		P850's		P900's		P950's		P1000's		P1050's		P1100's		P1150's		P1200's		P1250's		P1300's		P1350's		P1400's		P1450's		P1500's		P1550's		P1600's		P1650's		P1700's		P1750's		P1800's		P1850's		P1900's		P1950's		P2000's		P2050's		P2100's		P2150's		P2200's		P2250's		P2300's		P2350's		P2400's		P2450's		P2500's		P2550's		P2600's		P2650's		P2700's		P2750's		P2800's		P2850's		P2900's		P2950's		P3000's		P3050's		P3100's		P3150's		P3200's		P3250's		P3300's		P3350's		P3400's		P3450's		P3500's		P3550's		P3600's		P3650's		P3700's		P3750's		P3800's		P3850's		P3900's		P3950's		P4000's		P4050's		P4100's		P4150's		P4200's		P4250's		P4300's		P4350's		P4400's		P4450's		P4500's		P4550's		P4600's		P4650's		P4700's		P4750's		P4800's		P4850's		P4900's		P4950's		P5000's		P5050's		P5100's		P5150's		P5200's		P5250's		P5300's		P5350's		P5400's		P5450's		P5500's		P5550's		P5600's		P5650's		P5700's		P5750's		P5800's		P5850's		P5900's		P5950's		P6000's		P6050's		P6100's		P6150's		P6200's		P6250's		P6300's		P6350's		P6400's		P6450's		P6500's		P6550's		P6600's		P6650's		P6700's		P6750's		P6800's		P6850's		P6900's		P6950's		P7000's		P7050's		P7100's		P7150's		P7200's		P7250's		P7300's		P7350's		P7400's		P7450's		P7500's		P7550's		P7600's		P7650's		P7700's		P7750's		P7800's		P7850's		P7900's		P7950's		P8000's		P8050's		P8100's		P8150's		P8200's		P8250's		P8300's		P8350's		P8400's		P8450's		P8500's		P8550's		P8600's		P8650's		P8700's		P8750's		P8800's		P8850's		P8900's		P8950's		P9000's		P9050's		P9100's		P9150's		P9200's		P9250's		P9300's		P9350's		P9400's		P9450's		P9500's		P9550's		P9600's		P9650's		P9700's		P9750's		P9800's		P9850's		P9900's		P9950's		P10000's		P10050's		P10100's		P10150's		P10200's		P10250's		P10300's		P10350's		P10400's		P10450's		P10500's		P10550's		P10600's		P10650's		P10700's		P10750's		P10800's		P10850's		P10900's		P10950's		P11000's		P11050's		P11100's		P11150's		P11200's		P11250's		P11300's		P11350's		P11400's		P11450's		P11500's		P11550's		P11600's		P11650's		P11700's		P11750's		P11800's		P11850's		P11900's		P11950's		P12000's		P12050's		P12100's		P12150's		P12200's		P12250's		P12300's		P12350's		P12400's		P12450's		P12500's		P12550's		P12600's		P12650's		P12700's		P12750's		P12800's		P12850's		P12900's		P12950's		P13000's		P13050's		P13100's		P13150's		P13200's		P13250's		P13300's		P13350's		P13400's		P13450's		P13500's		P13550's		P13600's		P13650's		P13700's		P13750's		P13800's		P13850's		P13900's		P13950's		P14000's		P14050's		P14100's		P14150's		P14200's		P14250's		P14300's		P14350's		P14400's		P14450's		P14500's		P14550's		P14600's		P14650's		P14700's		P14750's		P14800's		P14850's		P14900's		P14950's		P15000's		P15050's		P15100's		P15150's		P15200's		P15250's		P15300's		P15350's		P15400's		P15450's		P15500's		P15550's		P15600's		P15650's		P15700's		P15750's		P15800's		P15850's		P15900's		P15950's		P16000's		P16050's		P16100's		P16150's		P16200's		P16250's		P16300's		P16350's		P16400's		P16450's		P16500's		P16550's		P16600's		P16650's		P16700's		P16750's		P16800's		P16850's		P16900's		P16950's		P17000's		P17050's		P17100's		P17150's		P17200's		P17250's		P17300's		P17350's		P17400's		P17450's		P17500's		P17550's		P17600's		P17650's		P17700's		P17750's		P17800's		P17850's		P17900's		P17950's		P18000's		P18050's		P18100's		P18150's		P18200's		P18250's		P18300's		P18350's		P18400's		P18450's		P18500's		P18550's		P18600's		P18650's		P18700's		P18750's		P18800's		P18850's		P18900's		P18950's		P19000's		P19050's		P19100's		P19150's		P19200's		P19250's		P19300's		P19350's		P19400's		P19450's		P19500's		P19550's		P19600's		P19650's		P19700's		P19750's		P19800's		P19850's		P19900's		P19950's		P20000's		P20050's		P20100's		P20150's		P20200's		P20250's		P20300's		P20350's		P20400's		P20450's		P20500's		P20550's		P20600's		P20650's		P20700's		P20750's		P20800's		P20850's		P20900's		P20950's		P21000's		P21050's		P21100's		P21150's		P21200's		P21250's		P21300's		P21350's		P21400's		P21450's		P21500's		P21550's		P21600's		P21650's		P21700's		P21750's		P21800's		P21850's		P21900's		P21950's		P22000's		P22050's		P22100's		P22150's		P22200's		P22250's		P22300's		P22350's		P22400's		P22450's		P22500's		P22550's		P22600's		P22650's		P22700's		P22750's		P22800's		P22850's		P22900's		P22950's		P23000's		P23050's		P23100's		P23150's		P23200's		P23250's		P23300's		P23350's		P23400's		P23450's		P23500's		P23550's		P23600's		P23650's		P23700's		P23750's		P23800's		P23850's		P23900's		P23950's		P24000's		P24050's		P24100's		P24150's		P24200's		P24250's		P24300's		P24350's		P24400's		P24450's		P24500's		P24550's		P24600's		P24650's		P24700's		P24750's		P24800's		P24850's		P24900's		P24950's		P25000's		P25050's		P25100's		P25150's		P25200's		P25250's		P25300's		P25350's		P25400's		P25450's		P25500's		P25550's		P25600's		P25650's		P25700's		P25750's		P25800's		P25850's		P25900's		P25950's		P26000's		P26050's		P26100's		P26150's		P26200's		P26250's		P26300's		P26350's		P26400's		P26450's		P26500's		P26550's		P26600's		P26650's		P26700's		P26750's		P26800's		P26850's		P26900's		P26950's		P27000's		P27050's		P27100's		P27150's		P27200's		P27250's		P27300's		P27350's		P27400's		P27450's		P27500's		P27550's		P27600's		P27650's		P27700's		P27750's		P27800's		P27850's		P27900's		P27950's		P28000's		P28050's		P28100's		P28150's		P28200's		P28250's		P28300's		P28350's		P28400's		P28450's		P28500's		P28550's		P28600's		P28650's		P28700's		P28750's		P28800's		P28850's		P28900's		P28950's		P29000's		P29050's		P29100's		P29150's		P29200's		P29250's		P29300's		P29350's		P29400's		P29450's		P29500's		P29550's		P29600's		P29650's		P29700's		P29750's		P29800's		P29850's		P29900's		P29950's		P30000's		P30050's		P30100's		P30150's		P30200's		P30250's		P30300's		P30350's		P30400's		P30450's		P30500's		P30550's		P30600's		P30650's		P30700's		P30750's		P30800's		P30850's		P30900's		P30950's		P31000's		P31050's		P31100's		P31150's		P31200's		P31250's		P31300's		P31350's		P31400's		P31450's		P31500's		P31550's		P31600's		P31650's		P31700's		P31750's		P31800's		P31850's		P31900's		P31950's		P32000's		P32050's		P32100's		P32150's		P32200's		P32250's		P32300's		P32350's		P32400's		P32450's		P32500's		P32550's		P32600's		P32650's		P32700's		P32750's		P32800's		P32850's		P32900's		P32950's		P33000's		P33050's		P33100's		P33150's		P33200's		P33250's		P33300's		P33350's		P33400's		P33450's		P33500's		P33550's		P33600's		P33650's		P33700's		P33750's		P33800's		P33850's		P33900's		P33950's		P34000's		P34050's		P34100's		P34150's		P34200's		P34250's		P34300's		P34350's		P34400's		P34450's		P34500's		P34550's		P34600's		P34650's		P34700's		P34750's		P34800's		P34850's		P34900's		P34950's		P35000's		P35050's		P35100's		P35150's		P35200's		P35250's		P35300's		P35350's		P35400's		P35450's		P35500's		P35550's		P35600's		P35650's		P35700's		P35750's		P35800's		P35850's		P35900's		P35950's		P36000's		P36050's		P36100's		P36150's		P36200's		P36250's		P36300's		P36350's		P36400's		P36450's		P36500's		P36550's		P36600's		P36650's		P36700's		P36750's		P36800's		P36850's		P36900's		P36950's		P37000's		P37050's		P37100's		P37150's		P37200's		P37250's		P37300's		P37350's		P37400's		P37450's		P37500's		P37550's		P37600's		P37650's		P37700's		P37750's		P37800's		P37850's		P37900's		P37950's		P38000's		P38050's		P38100's		P38150's		P38200's		P38250's		P38300's		P38350's		P38400's		P38450's		P38500's		P38550's		P38600's		P38650's		P38700's		P38750's		P38800's		P38850's		P38900's		P38950's		P39000's		P39050's		P39100's		P39150's		P39200's		P39250's		P39300's		P39350's		P39400's		P39450's		P39500's		P39550's		P39600's		P39650's		P39700's		P39750's		P39800's		P39850's		P39900's		P39950's		P40000's		P40050's		P40100's		P40150's		P40200's		P40250's		P40300's		P40350's		P40400's		P40450's		P40500's		P40550's		P40600's		P40650's		P40700's		P40750's		P40800's		P40850's		P40900's		P40950's		P41000's		P41050's		P41100's		P41150's		P41200's		P41250's		P41300's		P41350's		P41400's		P41450's		P41500's		P41550's		P41600's		P41650's		P41700's		P41750's		P41800's		P418	
--------------	-----------------------	------	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	--------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	---------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	----------	--	------	--



GROWERS' DELIVERY JOURNAL

SEBASTOPOL APPLE GROWERS' UNION
SEBASTOPOL, CALIFORNIA

Canary Summary
To Nov 30 1956

TAG NO	POOL NO	VARI-ETY	DELIVERIES		P-1075 13F. CNO. 4	P-1175 AND SMALLER CNO. 5	P-1575 AND LARGER CNO. 3	P-1675 CNO. 3	P-1775 CNO. 1	MEMO	GROWER'S NAME	PREVIOUS BALANCE		DATE	REFER-ENCE	B O X E S		PALLETS		MEMO	
			PER 135	TO DATE								BOXES	PALLETS			IN	OUT	IN	OUT		
			20,113	19880	83	200					Idaho										
			13,488	10000	906	2,250					Idaho										
			28,947	19,340	1,280	7,200				40	Idaho										
			6,660	5,472	1,700	1,000				200	Idaho										
			15,908	9,151	1,463	5,790					Idaho										
			4,210	4,000	400	360				400	Idaho										
			40,040	30,699	2,185	7,210					Idaho										
			12,433	7,026	919	1,500					Idaho										
			500	390	7	100					Idaho										
			3,120	2,430	1,810	7,990				100	Idaho										
			18,713	14,659	4,000	19,000				24,119	Idaho										
			10,350	8,500	9,938	2,710				500	Idaho										
			6,617	4,780	6,760	6,160				200	Idaho										
			19,147	14,443	7,660	4,300				763	Idaho										
			760	7,147	113	400				360	Idaho										
			2,600	2,600	239						Idaho										
			27,800	21,000	3,500	2,700				400	Idaho										
			3,887	1,800	318	1,200					Idaho										
			3,087	1,187						1900	Idaho										
			600	433		169					Idaho										
			64,791	39,100	4,773	23,000				160	Idaho										
			41,701	28,100	2,990	1,000					Idaho										
			3,400	2,400	1,000	4,000					Idaho										
			20,400	14,400	2,600	1,000				230	Idaho										
			1,070	4,000	1,438	5,000				20	Idaho										
			2,700	2,000	400						Idaho										
			400	400	40	400				700	Idaho										
			800	400	27	300				300	Idaho										
			2400	1100	1700	400				400	Idaho										
			137,500	103,700	4,760	26,000				1000	Idaho										
			5,700	3,000	500	1000					Idaho										
			27,200	15,700	3,800	7,600				20	Idaho										
			350,000	190,000	26,900	100,000				1000	Idaho										
			23,500	17,000	18,000	44,000				400	Idaho										
			8,400	6,000	400	1,400					Idaho										
			31,900	17,300	40,000	97,000				1000	Idaho										
			10,000	7,000	10,000	26,000				200,000	Idaho										

OK Packing House

OK Packing House

NATIONAL LABOR RELATIONS BOARD

200A (10-2-75) (FEDERAL OFFICIALS REPORT)

EXHIBIT NO. 100-100

IN THE MATTER OF THE Idaho Apple Growers Union

DATE _____ WITNESS _____

BY PTR OFFICIAL REPORTER





RESPONDENT'S EXHIBIT No. 16

Sebastopol Apple Growers' Union
Sebastopol, Calif.

Deliveries to Sebastopol Cooperative Cannery
1954

Date	Weight	Date	Weight
7-23	10,274	9-21	9,926
	10,218		9,912
7-24	10,909		19,958
	10,195		9,909
	10,300		9,900
7-26	9,860		9,935
	10,133	9-22	10,075
7-27	9,924		9,972
	10,143		10,086
	10,162		10,269
	10,203		10,189
7-29	37,800		20,464
9-13	30,240		30,240
	10,138	9-23	30,240
	10,235		10,329
	10,135		10,252
	32,776		20,558
	9,572	9-23	10,075
9-14	10,149		20,247
	9,975		10,329
	26,384	9-24	9,729
	30,240		10,015
9-16	9,852		19,927
	10,220		10,528
	19,957	9-27	23,520
	19,574		6,720
	19,880		7,659
	20,072		3,349
9-20	30,240		5,674
9-21	20,160		9,203
	9,855		8,576
	9,855		9,832
	10,012		17,896
	9,835		19,574

Respondent's Exhibit No. 16—(Continued)

Date	Weight	Date	Weight
9-28	1,489	10-2	10,126
	10,335		10,195
	19,798		10,186
	10,072		8,346
	20,184		21,704
	9,843		10,209
	19,988		20,101
	10,103		10,675
	10,072		20,447
	20,081		10,189
9-29	4,898		20,358
	4,020		10,309
	811	10-4	19,584
	10,305		10,138
	20,030		20,164
	10,152		5,744
	19,735		9,516
9-30	9,001	10- 5	5,674
	9,778		5,472
	9,755		19,841
	10,083		20,073
	10,118		9,558
	20,084		19,947
	9,889		9,598
	19,824		10,418
	1,938		20,327
10- 1	10,126		9,915
	19,870		20,507
	10,275	10- 6	10,112
	9,889		20,421
	19,901		10,072
	9,975		10,672
	19,607		19,944
	10,092	10- 7	10,812
10-1	20,107		20,538
	9,406		21,090
	10,292		10,129
	20,504		20,364

Respondent's Exhibit No. 16—(Continued)

Date	Weight	Date	Weight
10-7	10,255	10-11	9,675
	20,284		9,615
	10,312		20,310
	10,212	10-12	20,000
	10,335		10,752
	20,664		20,107
	10,138		10,152
10- 7	10,242		20,720
	18,627		9,769
	10,035		19,507
	10,408		11,052
	10,135	10-13	9,832
	10,125		9,829
	21,204		10,275
10- 8	10,438		20,804
	10,769		9,829
	10,375		20,756
	20,516		10,375
	10,412		21,416
	10,649		10,432
	20,293	10-14	9,959
	9,895		19,850
	20,401		10,049
	20,224		9,992
	9,572		20,187
	9,864		9,823
	19,338		19,696
	19,747	10-15	19,576
	9,733		9,972
	5,600		3,450
10-11	19,987		8,627
	9,858		8,627
	10,152		
	20,158		
			<hr/> 2,865,602

RESPONDENT'S EXHIBIT No. 17

Sebastopol Apple Growers' Union
Sebastopol, Calif.

Deliveries to H. A. Rider & Sons—1954

Date	Weight	Date	Weight
8-9	39,569	9- 8	34,648
8-18	35,163	9- 9	35,210
8-21	36,140	9-10	35,142
8-23	30,802	9-11	34,930
8-25	36,388	9-15	33,856
9- 3	35,511	9-17	24,484
			<hr/>
			411,843

RESPONDENT'S EXHIBIT No. 22

1954 ANNUAL AGRICULTURAL REPORT FOR SONOMA COUNTY

COMPILED BY THE SONOMA COUNTY DEPARTMENT OF AGRICULTURE

FRUIT AND NUT CROPS

OP	BEARING ACREAGE	PRODUCTION		GROSS FARM VALUE 1/	TOTAL
enstein	5,590	11,772 tons	@ \$ 75.64	\$ 890,434	
ash 2/		19,888 tons	@ 56.31	1,119,893	
nned		4,342 tons	@ 25.24	109,579	
ice-Cider		180 tons	@ 40.00	7,200	
es		2,245 tons	@ 12.00	26,940	
egar		28,143 green tons	@ 57.16	1,608,675	
ied		66,570 total tons			\$ 3,762,721
g	3,073	6,577 tons	@ 103.41	680,127	
ash 3/		17,722 tons	@ 63.45	1,124,498	
nned		2,925 tons	@ 27.85	81,454	
ice-Cider		260 tons	@ 12.00	3,120	
egar		9,248 green tons	@ 58.12	537,540	
ied		36,732 total tons			2,426,739
ES	506	572 tons	@ 300.00	171,600	
ocessed		95 tons	@ 375.00	35,625	
ash					207,225
WINE	11,351	22,452 tons	@ 50.00	1,122,600	
ack		6,048 tons	@ 43.00	260,064	
ite					1,382,664
	1,778	8,453 tons	@ 72.50	612,843	
nned		764 tons	@ 45.00	34,380	
ctar & Juices		50 tons	@ 80.00	4,000	
ash		975 green tons	@ 40.00	39,000	
ied					690,223
	119	272 tons	@ 53.50	14,552	
nned		500 lugs	@ 1.50	750	
ash					15,302
ench	13,821	12,971 tons	@ 250.00	3,242,750	
perial	2,320	874 tons	@ 340.00	297,160	
verted		4,139 tons	@ 40.00	165,560	
					3,705,470
E	1,504	504 tons	@ 420.00		211,680
ORCHARD	155				15,500
					\$12,417,524

ked fruit delivered to packing house or processor.

avenstein - 560,540-42 lb. box @ \$1.60.

tes - 298,966-44 lb. box @ \$2.33.

CHICAGO, ILL., MAY 1, 1911

DEAR SIR:

I have the honor to acknowledge the receipt of your letter of the 28th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. The matter is being given the most careful attention and it is hoped that a satisfactory result will be reached in the near future. The American Medical Association is deeply interested in the welfare of the medical profession and the public, and it is our desire to reach a solution that will be mutually beneficial to all concerned. We are sure that your patience will be rewarded by a prompt and equitable decision.

Very respectfully,
 J. H. [Name]
 Secretary

RESPONDENT'S EXHIBIT No. 23

1953 ANNUAL AGRICULTURAL REPORT FOR SONOMA COUNTY

COMPILED BY THE SONOMA COUNTY DEPARTMENT OF AGRICULTURE

FRUIT AND NUT CROPS

<u>CROP</u>	<u>BEARING ACREAGE</u>	<u>PRODUCTION</u>	<u>GROSS FARM VALUE 1/</u>	<u>TOTAL</u>
<u>APPLES</u>				
Gravenstein	5,416	584,125 boxes ●	2.22	\$1,296,757
Late Varieties	2,910	195,285 boxes ●	2.98	581,949
Processed				
Gravenstein				
Canned		16,322 tons ●	56.88	928,395
Cider-Cider		4,255 tons ●	37.70	160,413
Late Varieties				
Canned		12,549 tons ●	71.26	894,242
Cider-Cider		1,914 tons ●	40.19	76,924
Dried				
Gravenstein		17,000 green tons ●	44.27	752,590
Late Varieties		11,250 green tons ●	70.00	787,500
Seeds and Cores				
Negar-Wine		11,877 tons 2/ ●	7.30	86,702
				\$ 5,565,472
<u>GRAPES</u>	518			
Processed		832 tons ●	260.00	216,320
Fresh		100 tons ●	300.00	30,000
				246,320
<u>PEACHES, WINE</u>	11,689			
Black		22,500 tons ●	43.75	984,375
White		5,500 tons ●	33.75	185,625
				1,170,000
<u>PEACHES</u>	1,802			
Canned		4,406 tons ●	72.50	319,435
Dried		290 green tons ●	17.50	5,075
Fresh		50 tons ●	80.00	4,000
				328,510
<u>PEARS</u>	132			
Canned		48 tons ●	58.00	2,784
Fresh		1,000 lugs ●	1.50	1,500
				4,284
<u>PLUMS</u>				
French	13,778	9,072 tons ●	250.00	2,268,000
Imperial	2,362	1,031 tons ●	300.00	309,300
				2,577,300
<u>NUTS</u>	1,480	430 tons ●	450.00	193,500
<u>C. ORCHARD</u>	125			12,500
				\$10,097,886

Maked fruit delivered to packing house or processor.

Fresh apples - Gravensteins, 42 pound box; Lates, 44 pound box.

Do not include this figure in calculating total production - a by-product of
canned and dried apples.



CERTIFICATE

This is to certify that the attached proceedings before the National Labor Relations Board for the 20th Region in the matter of: Sebastopol Apple Growers Union and General Truck Drivers, Warehousemen and Helpers Union, Local No. 980, AFL, Case No. 20-CA-1035 and Sebastopol Apple Growers Union, Employer, and General Truck Drivers, Warehousemen and Helpers Union, Local No. 980, I.B.T.W.C. & H. of America, AFL, Petitioner, Case No. 20-RC-2637, were had as therein appears, and that this is the original transcript thereof for the files of the Board.

ACME REPORTING COMPANY,
Official Reporters.

ORIGINAL ARTICLES

1. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Patient. (Continued from page 1000) *W. H. Davenport, M.D., and J. H. Davenport, M.D.*
2. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Patient. (Continued from page 1000) *W. H. Davenport, M.D., and J. H. Davenport, M.D.*
3. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Patient. (Continued from page 1000) *W. H. Davenport, M.D., and J. H. Davenport, M.D.*
4. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Patient. (Continued from page 1000) *W. H. Davenport, M.D., and J. H. Davenport, M.D.*
5. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Patient. (Continued from page 1000) *W. H. Davenport, M.D., and J. H. Davenport, M.D.*
6. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Patient. (Continued from page 1000) *W. H. Davenport, M.D., and J. H. Davenport, M.D.*
7. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Patient. (Continued from page 1000) *W. H. Davenport, M.D., and J. H. Davenport, M.D.*
8. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Patient. (Continued from page 1000) *W. H. Davenport, M.D., and J. H. Davenport, M.D.*
9. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Patient. (Continued from page 1000) *W. H. Davenport, M.D., and J. H. Davenport, M.D.*
10. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Patient. (Continued from page 1000) *W. H. Davenport, M.D., and J. H. Davenport, M.D.*

Published by the American Medical Association, 535 North Dearborn Street, Chicago, Ill.
 Entered as Second-Class Matter, May 26, 1911, under Post Office No. 383, at Chicago, Ill., under special agreement of Post Office and Post Office Department.
 Accepted for mailing at special rate of postage provided for in Act of October 3, 1917, authorized on July 10, 1918.
 Postage paid at Chicago, Ill.